

JOURNAL
OF THE
REGULAR SESSION
OF THE
House of Representatives
OF THE
Commonwealth of Kentucky

**Begun and Held in the City of Frankfort, the
Eighth Day of January, in the Year of Our
Lord 1918, and of the Commonwealth One
Hundred and Twenty-Six.**

PROPERTY OF THE STATE OF KENTUCKY



JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 8, 1918.

At a General Assembly of the Commonwealth of Kentucky, begun and held at the Capitol, in the city of Frankfort, on Tuesday, the 8th day of January, in the year of our Lord one thousand nine hundred and eighteen, and the one hundred and twenty-sixth year of the Commonwealth, that being the day fixed by the Constitution for the meeting thereof, Eli Berry, Chief Clerk of the House of Representatives, last passed, called the House to order, and, after prayer by the Rev. J. T. McClothlin, pastor of the Baptist church, of Frankfort, produced and read the following certificate from the Secretary of State, viz.:

MEMBERS OF HOUSE OF REPRESENTATIVES—1918.

Adair and Cumberland—Joe Huddleston (R), Waterview.
Allen—A. J. Oliver (R), Scottsville.
Anderson—H. V. Bell, Lawrenceburg.
Ballard and Carlisle—B. S. Bailey, Wickliffe.
Barren—J. Wood Vance, Cave City.
Bath and Rowan—W. J. Bailey, Owingsville.
Bell, Harlan, Leslie and Perry—H. C. Chappell (R), Middlesboro.

- Boone—W. P. Cropper, Petersburg.
Bourbon—Claude M. Thomas, Paris.
Boyd and Lawrence—B. H. Harris (R), Catlettsburg.
Boyle—Claude D. Minor, Perryville.
Bracken—Dr. S. D. Laughlin, Augusta.
Breathitt, Lee and Magoffin—Ryland C. Musick, Jackson.
Breckenridge—Roy J. Cain (R), Irvington.
Bullitt and Spencer—S. G. Thornberry, Shepherdsville.
Butler and Edmonson—A. A. Demunbrun (R), Mammoth Cave.
Caldwell—W. H. Jones (R), Princeton.
Calloway—T. P. Oliver, New Concord.
Campbell—83rd District—Harry V. Dill, Bellview.
Campbell, 84th District—J. T. Thornton, Newport.
Carroll and Gallatin—W. N. Winn, Warsaw.
Carter and Elliott—Frank A. Easterling (R), Stinson.
Casey and Russell—Lilburn Phelps (R), Jamestown.
Christian—H. C. McGehee (R), Gracey.
Clark—John W. Swope, Winchester.
Clay, Jackson and Owsley—I. H. Gabbard (R), Cow Creek.
Clinton and Wayne—J. C. Davis (R), Monticello.
Crittenden and Livingston—W. F. Paris (R), Lola.
Daviess—City District—James S. Cruse (R), Owensboro.
Daviess—County District—Griffin Kelly, Maceo.
Estill and Powell—Clarence Miller (R), Irvine.
Fayette—City District—W. F. Klair, Lexington.
Fayette—County District—Arch L. Hamilton, Lexington.
Fleming—S. Lee McGohan, Ewing.
Floyd, Knott and Letcher—Ed. L. Allen (R), Prestonsburg.
Franklin—L. B. Hamilton, Frankfort.
Fulton and Hickman—Ote Piper, Clinton.
Garrard—J. H. Ballard, Bryantsville.
Grant—J. M. Elliston, Elliston.
Graves—Leslie P. Jones, Mayfield.
Grayson—Thomas Spurrier (R), Caneyville.

Green and Taylor—J. S. Hall (R), Spurlington.
Greenup—A. S. Cooper (R), Greenup.
Hancock—John Cook (R), Hawesville.
Hardin—M. E. Lee, Elizabethtown.
Harrison—Larkin Garnett, Cynthiana.
Hart—T. R. Smith (R), Horse Cave.
Henderson—J. W. Johnson, Henderson.
Henry—R. J. Radcliffe, Pleasureville.
Hopkins—Chas. Ashby (R), Madisonville.
Jefferson—44th District—H. C. McLellen (R), Louisville.
Jefferson—45th District—A. R. Hudson (R), Louisville.
Jefferson—46th District—B. C. Beckmann, Louisville.
Jefferson—47th District—L. D. Baldauf (R), Louisville.
Jefferson—48th District—Joseph Lazarus (R), Louisville.
Jefferson—49th District—W. P. McDonogh, Louisville.
Jefferson—50th District—Lewis Ryans (R), Louisville.
Jefferson—51st District—Elmore Thomas (R), Louisville.
Jessamine—Dr. T. R. Welch, Nicholasville.
Johnson and Martin—F. C. VanHoose (R), Mingo.
Kenton—80th District—John T. Murphy, Covington.
Kenton—81st District—H. A. Knollmann, Covington.
Kenton—82nd District—H. J. Meyers, Covington.
Knox and Whitley—Robert Bays (R), Walden.
Larue—H. L. Dixon, Upton.
Laurel and Rockcastle—Fred Cornelius (R), Ionia.
Lewis—W. P. Bowman, Vanceburg.
Lincoln—Dr. W. B. O'Bannon, Stanford.
Logan—W. T. Lasley, Lewisburg.
Lyon and Marshall—Walter G. Dycus, Benton.
Madison—H. C. Rice, Richmond.
Marion—Chas. L. Hunter, Lebanon.
Mason—A. L. Baldwin (R), Maysville.
McCracken—M. E. Gilbert, Paducah.
McLean—O. V. Brown, Island.
Meade—W. H. Hager, Vine Grove.

Mercer—Leroy S. Bonta, Harrodsburg.
Metcalf and Monroe—Avery Sartin (R), Willow Shade.
Montgomery and Menifee—T. L. Candel, Frenchburg.
Morgan and Wolfe—Luther Pieratt, Ezel.
Muhlenburg—A. J. McCandless (R), Cleaton.
Nelson—John B. Thomas, Maude.
Nicholas and Robertson—S. H. Moore, Piqua.
Ohio—L. L. Embry (R), Baizetown.
Oldham and Trimble—R. T. Crowe, Lagrange.
Owen—Everett Cobb, Owenton.
Pendleton—J. L. Bradford (R), Falmouth.
Pike—T. J. Smith (R), Pikeville.
Pulaski and McCreary—G. F. Thompson (R) Eubank.
Scott—G. C. Waggoner, Stamping Ground.
Shelby—W. T. Beckham, Shelbyville.
Simpson—C. B. Smith, Franklin.
Todd—Ben S. Street, Elkton.
Trigg—G. F. Walthal, Canton.
Union—Dr. J. E. Lilly, Uniontown.
Warren—City District—Joe Schneider, Bowling Green.
Warren—County District—E. G. Young, Bowling Green.
Washington—Dr. W. F. Trusty (R), Springfield.
Webster—E. C. Hardin, Wheatcraft.
Woodford—David J. Howard, Versailles.

COMMONWEALTH OF KENTUCKY—OFFICE OF THE SECRETARY
OF STATE.

I, James P. Lewis, Secretary of State for the Commonwealth of Kentucky, do certify that the foregoing is a correct and true list of Representatives-elect of Kentucky of the various Legislative Districts as I believe.

Given under my hand as Secretary of State, this the 5th day of January, 1918.

(Signed) JAMES P. LEWIS,
Secretary of State.

The roll of members was called and the following members answered to their names, viz.:

Ed. L. Allen	L. L. Embry	W. B. O'Bannon
Chas. Ashby	I. H. Gabbard	A. J. Oliver
B. S. Bailey	Lark Garnett	T. P. Oliver
W. J. Bailey	M. E. Gilbert	W. F. Paris
L. D. Baldauf	W. H. Hager	Lilburn Phelps
J. H. Ballard	J. S. Hall	Luther Pieratt
A. L. Baldwin	A. L. Hamilton	Ote Piper
Robert Bays	L. B. Hamilton	Richard Radcliffe
W. T. Beckham	E. C. Hardin	H. C. Rice
B. C. Beckmann	B. H. Harris	Lewis Ryans
H. V. Bell	David J. Howard	Avery Sartin
Leroy Bonta	Joe Huddleston	Joe Schneider
W. P. Bowman	Chas. L. Hunter	Claude B. Smith
J. L. Bradford	J. W. Johnson	R. T. Smith
O. V. Brown	Leslie P. Jones	T. J. Smith
R. J. Cain	Griffin Kelly	Thomas Spurrier
T. L. Caudel	W. F. Klair	Ben Street
H. C. Chappell	H. A. Knollmann	John W. Swope
Everett Cobb	W. T. Lasley	Claude M. Thomas
John Cook	S. D. Laughlin	Elmore Thomas
A. S. Cooper	M. E. Lee	John B. Thomas
Fred Cornelius	J. E. Lilly	Geo. F. Thompson
W. P. Cropper	Harry J. Meyers	J. T. Thornton
R. T. Crowe	Claude D. Minor	S. G. Thornberry
James S. Cruse	S. H. Moore	W. F. Trusty
J. C. Davis	John T. Murphy	F. C. VanHoose
A. A. Demunbrun	Ryland C. Musick	J. Wood Vance
Harry Dill	A. J. McCandless	Geo. C. Waggoner
H. L. Dixon	W. P. McDonogh	G. Frank Walthal
W. G. Dycus	H. C. McGehee	T. R. Welch
F. A. Easterling	S. Lee McGohan	W. N. Winn
J. M. Elliston	H. C. McLellen	E. G. Young

The oath of office was then administered to each and all of said members by Justice Gus Thomas, of the Court of Appeals.

The said Chief Clerk then announced that the election of a Speaker of the House of Representatives was in order.

Mr. H. C. Rice named Hon. Robert T. Crowe, of the county of Oldham, as a suitable person to fill said office.

Mr. Lilburn Phelps named Hon. A. J. Oliver, of the county of Allen, as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Robert T. Crowe were—

B. S. Bailey	E. C. Hardin	A. J. Oliver
W. J. Bailey	David J. Howard	T. P. Oliver
J. H. Ballard	Chas. L. Hunter	Luther Pieratt
W. T. Beckham	J. W. Johnson	Ote Piper
B. C. Beckmann	Leslie P. Jones	Richard Radcliffe
H. V. Bell	Griffin Kelly	H. C. Rice
Leroy Bonta	W. F. Klair	Joe Schneider
O. V. Brown	H. A. Knollmann	Claude B. Smith
T. L. Caudel	W. T. Lasley	Ben Street
Everett Cobb	S. D. Laughlin	John W. Swope
W. P. Cropper	M. E. Lee	Claude M. Thomas
Harry Dill	J. E. Lilly	John B. Thomas
H. L. Dixon	W. P. McDonogh	S. G. Thornberry
W. G. Dycus	S. Lee McGohan	J. T. Thornton
J. M. Elliston	Harry J. Meyers	J. Wood Vance
Lark Garnett	Claude D. Minor	Geo. C. Waggoner
M. E. Gilbert	S. H. Moore	G. Frank Walthal
W. H. Hager	John T. Murphy	T. R. Welch
A. L. Hamilton	Ryland C. Musick	W. N. Winn
L. B. Hamilton	W. B. O'Bannon	E. G. Young

Those who voted for A. J. Oliver were—

Ed. L. Allen	R. T. Crowe	H. C. McLellen
Chas. Ashby	James S. Cruse	W. F. Paris
L. D. Baldauf	J. C. Davis	Lilburn Phelps
A. L. Baldwin	A. A. Demunbrun	Lewis Ryans
Robert Bays	F. A. Easterling	Avery Sartin
W. P. Bowman	L. L. Embry	R. T. Smith
J. L. Bradford	I. H. Gabbard	T. J. Smith
R. J. Cain	J. S. Hall	Thomas Spurrier
H. C. Chappell	B. H. Harris	Elmore Thomas
John Cook	Joe Huddleston	Geo. F. Thompson
A. S. Cooper	A. J. McCandless	W. F. Trusty
Fred Cornelius	H. C. McGehee	F. C. VanHoose

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Mr. Robert T. Crowe, having received a majority of the votes cast, a majority of all the members elected being present and voting, was declared duly elected Speaker of the House of Representatives.

The Chief Clerk aforesaid appointed Messrs. G. F. Walthal and W. P. McDonogh a committee to inform the Speaker-elect of the action of the House and to escort him to the chair.

The Speaker returned his thanks to the House for the honor conferred, recommended and urged the proper observance of order and decorum and announced that he was ready to take the oath of office, which said oath was administered to him by J. H. Henderson, Deputy Clerk of the Court of Appeals.

The Speaker then announced that the next order of business was the election of a Chief Clerk of the House of Representatives.

Mr. H. C. Rice named Eli Berry, of Daviess county, as a suitable person to fill said office.

Mr. Lilburn Phelps named Jacob Daub, of Jefferson county, as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Eli Berry were—

B. S. Bailey	E. C. Hardin	Luther Pieratt
W. J. Bailey	David J. Howard	Ote Piper
J. H. Ballard	Chas. L. Hunter	Richard Radcliffe
W. T. Beckham	J. W. Johnson	H. C. Rice
B. C. Beckmann	Leslie P. Jones	Joe Schneider
H. V. Bell	Griffin Kelly	Claude B. Smith
Leroy Bonta	W. F. Klair	Ben Street
O. V. Brown	H. A. Knollmann	John W. Swope
T. L. Caudel	S. D. Laughlin	Claude M. Thomas
Everett Cobb	M. E. Lee	John B. Thomas
W. P. Cropper	J. E. Lilly	S. G. Thornberry
Harry Dill	W. P. McDonogh	J. T. Thornton
H. L. Dixon	S. Lee McGohan	J. Wood Vance
W. G. Dycus	Harry J. Meyers	Geo. C. Waggoner
J. M. Elliston	Claude D. Minor	G. Frank Walthal
Lark Garnett	S. H. Moore	T. R. Welch
M. E. Gilbert	John T. Murphy	W. N. Winn
W. H. Hager	Ryland C. Musick	E. G. Young
A. L. Hamilton	W. B. O'Bannon	
L. B. Hamilton	T. P. Oliver	

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Those who voted for Jacob Daub were—

Ed. L. Allen	H. C. Chappell	L. L. Embry
Chas. Ashby	John Cook	I. H. Gabbard
L. D. Baldauf	A. S. Cooper	J. S. Hall
A. L. Baldwin	Fred Cornelius	B. H. Harris
Robert Bays	James S. Cruse	Joe Huddleston
W. P. Bowman	J. C. Davis	A. J. McCandless
J. L. Bradford	A. A. Demunbrun	H. C. McGehee
R. J. Cain	F. A. Easterling	H. C. McLellen

A. J. Oliver	R. T. Smith	Geo. F. Thompson
Lilburn Phelps	T. J. Smith	W. F. Trusty
Lewis Ryans	Thomas Spurrier	F. C. VanHoose
Avery Sartin	Elmore Thomas	—35

Mr. Eli Berry, having received a majority of the votes cast, a majority of all the members elected being present and voting, was declared duly elected Chief Clerk of the House of Representatives.

The Speaker then announced that the next order of business was the election of an Assistant Clerk of the House.

Mr. H. C. Rice named Oscar Wicker, of Crittenden county, as a suitable person to fill said office.

Mr. Lilburn Phelps named Thomas Dover, of Jefferson county, as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Oscar Wicker were—

B. S. Bailey	Lark Garnett	W. T. Lasley
J. H. Ballard	M. E. Gilbert	S. D. Laughlin
W. T. Beckham	W. H. Hager	M. E. Lee
B. C. Beckmann	A. L. Hamilton	J. E. Lilly
H. V. Bell	L. B. Hamilton	W. P. McDonogh
Leroy Bonta	E. C. Hardin	S. Lee McGohan
O. V. Brown	David J. Howard	Harry J. Meyers
T. L. Caudel	Chas. L. Hunter	Claude D. Minor
W. P. Cropper	J. W. Johnson	S. H. Moore
Harry Dili	Leslie P. Jones	John T. Murphy
H. L. Dixon	Griffin Kelly	Ryland C. Musick
W. G. Dycus	W. F. Klair	W. B. O'Bannon
J. M. Elliston	H. A. Knollmann	T. P. Oliver

Luther Pieratt	John W. Swope	Geo. C. Waggoner
Ote Piper	Claude M. Thomas	G. Frank Walthal
Richard Radcliffe	John B. Thomas	T. R. Welch
H. C. Rice	S. G. Thornberry	W. N. Winn
Joe Schneider	J. T. Thornton	E. G. Young
Claude B. Smith	J. Wood Vance	Mr. Speaker Crowe

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Those who voted for Thomas Dover were —

Ed. L. Allen	J. C. Davis	W. F. Paris
Chas. Ashby	A. A. Demunbrun	Lilburn Phelps
L. D. Baldauf	F. A. Easterling	Lewis Ryans
A. L. Baldwin	I. H. Gabbard	Avery Sartin
Robert Bays	B. H. Harris	R. T. Smith
J. L. Bradford	Joe Huddleston	T. J. Smith
R. J. Cain	A. J. McCandless	Thomas Spurrier
John Cook	H. C. McGehee	Elmore Thomas
A. S. Cooper	H. C. McLellen	F. C. VanHoose
James S. Cruse	A. J. Oliver	

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The Speaker then announced that the next order of business was the election of an Enrolling Clerk of the House.

Mr. H. C. Rice named Mrs. William Cromwell, of Franklin county, as a suitable person to fill said office.

Mr. Lilburn Phelps named Mrs. Samuel Keane as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Mrs. Cromwell were—

B. S. Bailey	W. T. Beckham	O. V. Brown
J. H. Ballard	B. C. Beckmann	T. L. Caudel
Leroy Bonta	H. V. Bell	Everett Cobb

W. P. Cropper	W. F. Klair	H. C. Rice
Harry Dill	H. A. Knollmann	Joe Schneider
H. L. Dixon	S. D. Laughlin	Claude B. Smith
W. G. Dycus	M. E. Lee	Ben Street
J. M. Elliston	J. E. Lilly	John W. Swope
M. E. Gilbert	W. P. McDonogh	Claude M. Thomas
W. H. Hager	S. Lee McGohan	John B. Thomas
A. L. Hamilton	Harry J. Meyers	S. G. Thornberry
L. B. Hamilton	Claude D. Minor	J. T. Thornton
E. C. Hardin	John T. Murphy	J. Wood Vance
David J. Howard	Ryland C. Musick	Geo. C. Waggoner
Chas. L. Hunter	W. B. O'Bannon	G. Frank Walthal
J. W. Johnson	T. P. Oliver	T. R. Welch
Leslie P. Jones	Luther Pieratt	W. N. Winn
Griffin Kelly	Ote Piper	E. G. Young

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Those who voted for Mrs. Keene were—

Ed. L. Allen	James S. Cruse	W. F. Paris
Chas. Ashby	J. C. Davis	Lilburn Phelps
L. D. Baldauf	A. A. Demunbrun	Lewis Ryans
A. L. Baldwin	F. A. Easterling	Avery Sartin
Robert Bays	L. L. Embry	R. T. Smith
W. P. Bowman	J. S. Hall	T. J. Smith
R. J. Cain	B. H. Harris	Thomas Spurrier
H. C. Chappell	Joe Huddleston	Elmore Thomas
John Cook	H. C. McGehee	Geo. F. Thompson
A. S. Cooper	H. C. McLellen	W. F. Trusty
Fred Cornelius	A. J. Oliver	F. C. VanHoose

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The Speaker then announced that the next order of business was the election of a Sergeant-at-Arms of the House.

Mr. H. C. Rice named J. Burrus Morris, of Anderson county, as a suitable person to fill said office.

Mr. Lilburn Phelps named William Tecumseh Sherman McFarland as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for J. Burrus Morris were—

B. S. Bailey	E. C. Hardin	T. P. Oliver
J. H. Ballard	David J. Howard	Luther Pieratt
W. T. Beckham	Chas. L. Hunter	Ote Piper
B. C. Beckmann	J. W. Johnson	Richard Radcliffe
H. V. Bell	Leslie P. Jones	H. C. Rice
Leroy Bonta	Griffin Kelly	Joe Schneider
O. V. Brown	W. F. Klair	Claude B. Smith
T. L. Caudel	H. A. Knollmann	Ben Street
Everett Cobb	S. D. Laughlin	John W. Swope
W. P. Cropper	M. E. Lee	Claude M. Thomas
Harry Dill	J. E. Lilly	John B. Thomas
H. L. Dixon	W. P. McDonogh	S. G. Thornberry
W. G. Dycus	S. Lee McGohan	J. T. Thornton
J. M. Elliston	Harry J. Meyers	J. Wood Vance
Lark Garnett	Claude D. Minor	Geo. C. Waggoner
M. E. Gilbert	S. H. Moore	G. Frank Walthal
W. H. Hager	John T. Murphy	T. R. Welch
A. L. Hamilton	Ryland C. Musick	W. N. Winn
L. B. Hamilton	W. B. O'Bannon	E. G. Young

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Those who voted for William Tecumseh Sheridan McFarland were—

Ed. L. Allen	J. L. Bradford	James S. Cruse
Chas. Ashby	R. J. Cain	J. C. Davis
L. D. Baldauf	H. C. Chappell	A. A. Demunbrun
A. L. Baldwin	John Cook	L. L. Embry
Robert Bays	A. S. Cooper	B. H. Harris
W. P. Bowman	Fred Cornelius	Joe Huddleston

A. J. McCandless	Lilburn Phelps	Elmore Thomas
H. C. McGehee	Lewis Ryans	Geo. F. Thompson
H. C. McLellen	Avery Sartin	W. F. Trusty
A. J. Oliver	R. T. Smith	F. C. VanHoose
W. F. Paris	T. J. Smith	—32

The Speaker then announced that the next order of business was the election of a Doorkeeper of the House.

Mr. H. C. Rice named William J. Kuh, of Jefferson county, as a suitable person to fill said office.

Mr. Lilburn Phelps named P. J. Oliver, of Allen county, as a suitable person to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for William J. Kuh were—

B. S. Bailey	A. L. Hamilton	Claude D. Minor
J. H. Ballard	L. B. Hamilton	S. H. Moore
W. T. Beckham	E. C. Hardin	John T. Murphy
B. C. Beckmann	David J. Howard	Ryland C. Musick
H. V. Bell	Chas. L. Hunter	W. B. O'Bannon
Leroy Bonta	J. W. Johnson	T. P. Oliver
O. V. Brown	Leslie P. Jones	Luther Pieratt
T. L. Caudel	Griffin Kelly	Ote Piper
Everett Cobb	W. F. Klair	Richard Radcliffe
W. P. Cropper	H. A. Knollmann	H. C. Rice
Harry Dill	W. T. Lasley	Joe Schneider
H. L. Dixon	S. D. Laughlin	Claude B. Smith
W. G. Dycus	M. E. Lee	Ben Street
J. M. Elliston	J. E. Lilly	John W. Swope
Lark Garnett	W. P. McDonogh	Claude M. Thomas
M. E. Gilbert	S. Lee McGohan	John B. Thomas
W. H. Hager	Harry J. Meyers	S. G. Thornberry

J. T. Thornton	G. Frank Walthal	E. G. Young
J. Wood Vance	T. R. Welch	
Geo. C. Waggoner	W. N. Winn	

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Those who voted or P. J. Oliver were—

Chas. Ashby	James S. Cruse	A. J. Oliver
L. D. Baldauf	J. C. Davis	W. F. Paris
A. L. Baldwin	A. A. Demunbrun	Lilburn Phelps
Robert Bays	F. A. Easterling	Lewis Ryans
W. P. Bowman	L. L. Embry	Avery Sartin
J. L. Bradford	I. H. Gabbard	R. T. Smith
R. J. Cain	J. S. Hall	T. J. Smith
H. C. Chappell	B. H. Harris	Elmore Thomas
John Cook	Joe Huddleston	Geo. F. Thompson
A. S. Cooper	A. J. McCandless	W. F. Trusty
Fred Cornelius	H. C. McGehee	F. C. VanHoose

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The Speaker then announced that the next order of business was the election of a Janitor of the House.

Mr. H. C. Rice named Homer A. Spillman as a suitable person to fill said position.

Mr. Lilburn Phelps named Wilbur Lamar as a suitable person to fill said position.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Homer A. Spillman were—

B. S. Bailey	T. L. Caudel	Lark Garnett
J. H. Ballard	W. P. Cropper	M. E. Gilbert
W. T. Beckham	Harry Dill	W. H. Haeger
B. C. Beckmann	H. L. Dixon	A. L. Hamilton
Leroy Bonta	W. G. Dycus	L. B. Hamilton
O. V. Brown	J. M. Elliston	E. C. Hardin

David J. Howard	Harry J. Meyers	Ben Street
Chas. L. Hunter	Claude D. Minor	John W. Swope
J. W. Johnson	John T. Murphy	Claude M. Thomas
Leslie P. Jones	Ryland C. Musick	John B. Thomas
Griffin Kelly	W. B. O'Bannon	S. G. Thornberry
W. F. Klair	T. P. Oliver	J. T. Thornton
H. A. Knollmann	Luther Pieratt	J. Wood Vance
S. D. Laughlin	Ote Piper	G. Frank Walthal
M. E. Lee	Richard Radcliffe	T. R. Welch
J. E. Lilly	H. C. Rice	W. N. Winn
W. P. McDonogh	Joe Schneider	E. G. Young
S. Lee McGohan	Claude B. Smith	

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Those who voted for Wilbur Lamar were—

Ed. L. Allen	J. C. Davis	W. F. Paris
Chas. Ashby	A. A. Demunbrun	Lilburn Phelps
L. D. Baldauf	L. L. Embry	Lewis Ryans
A. L. Baldwin	J. S. Hall	Avery Sartin
W. P. Bowman	B. H. Harris	R. T. Smith
J. L. Bradford	Joe Huddleston	T. J. Smith
H. C. Chappell	A. J. McCandless	Thomas Spurrier
John Cook	H. C. McGehee	Elmore Thomas
A. S. Cooper	H. C. McLellen	F. C. VanHoose
James S. Cruse	A. J. Oliver	

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The Speaker then announced that the next order of business was the election of two Cloakroom Keepers of the House.

Mr. H. C. Rice named Messrs. Walter D. Hill and Gardner Ray as suitable persons to fill said office.

Mr. Lilburn Phelps named Messrs. Henry J. Harris and Brent Hall as suitable persons to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Messrs. Hill and Ray were—

J. H. Ballard	J. W. Johnson	Ote Piper
W. T. Beckham	Leslie P. Jones	Richard Radcliffe
B. C. Beckmann	Griffin Kelly	H. C. Rice
H. V. Bell	W. F. Klair	Joe Schneider
Leroy Bonta	H. A. Knollmann	Claude B. Smith
O. V. Brown	S. D. Laughlin	Ben Street
T. L. Caudel	M. E. Lee	John W. Swope
Everett Cobb	J. E. Lilly	Claude M. Thomas
Harry Dill	W. P. McDonogh	John B. Thomas
H. L. Dixon	S. Lee McGohan	S. G. Thornberry
W. G. Dycus	Harry J. Meyers	J. T. Thornton
J. M. Elliston	Claude D. Minor	J. Wood Vance
Lark Garnett	S. H. Moore	Geo. C. Waggoner
W. H. Hager	John T. Murphy	G. Frank Walthal
A. L. Hamilton	Ryland C. Musick	T. R. Welch
E. C. Hardin	W. B. O'Bannon	E. G. Young
David J. Howard	T. P. Olier	
Chas. L. Hunter	Luther Pieratt	

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Those who voted for Messrs. Harris and Hall were—

Ed. L. Allen	J. C. Davis	W. F. Paris
Chas. Ashby	A. A. Demunbrun	Lilburn Phelps
L. D. Baldauf	F. A. Easterling	Lewis Ryans
A. L. Baldwin	L. L. Embry	Avery Sartin
W. P. Bowman	I. H. Gabbard	R. T. Smith
J. L. Bradford	J. S. Hall	T. J. Smith
R. J. Cain	Joe Huddleston	Thomas Spurrier
H. C. Chappell	A. J. McCandless	Elmore Thomas
John Cook	H. C. McLellen	Geo. F. Thompson
A. S. Cooper	H. C. McGehee	F. C. VanHoose
James S. Cruse	A. J. Oliver	

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The Speaker then announced that the next order of business was the election of four pages.

Mr. H. C. Rice named Messrs. Kash Craig, Edward J. Kelly, Robt. Minor and Oscar Rowland as suitable persons to fill said office.

Mr. Lilburn Phelps named Messrs. William Brown, Hugh Cunningham, J. W. McKinney and Carl Vogler as suitable persons to fill said office.

The vote being taken between those named resulted as follows, viz.:

Those who voted for Messrs. Craig, Kelly, Minor and Rowland were—

B. S. Bailey	Chas. L. Hunter	Luther Pieratt
J. H. Ballard	J. W. Johnson	Ote Piper
W. T. Beckham	Leslie P. Jones	Richard Radcliffe
B. C. Beckmann	Griffin Kelly	H. C. Rice
H. V. Bell	W. F. Klair	Joe Schneider
Leroy Bonta	H. A. Knollmann	Claude B. Smith
O. V. Brown	S. D. Laughlin	Ben Street
T. L. Caudel	M. E. Lee	John W. Swope
Harry Dill	J. E. Lilly	Claude M. Thomas
H. L. Dixon	W. P. McDonogh	John B. Thomas
W. G. Dycus	S. Lee McGohan	S. G. Thornberry
J. M. Elliston	Harry J. Meyers	Claude M. Thomas
Lark Garnett	Clarence Miller	J. Wood Vance
W. H. Hager	Claude D. Minor	Geo. C. Waggoner
A. L. Hamilton	John T. Murphy	G. Frank Walthal
L. B. Hamilton	Ryland C. Musick	T. R. Welch
E. C. Hardin	W. B. O'Bannon	W. N. Winn
David J. Howard	T. P. Oliver	E. G. Young

Those who voted for Messrs. Brown, Cunningham, McKinney and Vogler were—

Ed. L. Allen	J. C. Davis	W. F. Paris
Chas. Ashby	A. A. Demunbrun	Lilburn Phelps
A. L. Baldwin	F. A. Easterling	Lewis Ryans
W. P. Bowman	L. L. Embry	Avery Sartin
J. L. Bradford	I. H. Gabbard	R. T. Smith
R. J. Cain	J. S. Hall	T. J. Smith
H. C. Chappell	B. H. Harris	Thomas Spurrier
John Cook	Joe Huddleston	Elmore Thomas
A. S. Cooper	A. J. McCandless	Geo. F. Thompson
Fred Cornelius	H. C. McGehee	W. F. Trusty
James S. Cruse	A. J. Oliver	F. C. VanHoose

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All of the aforesaid officers elected by the House took the oath of office as required by the Constitution and laws of Kentucky, which was administered by J. H. Henderson, Deputy Clerk of the Court of Appeals.

A message was received from the Senate through a Committee composed of Senators Helm, Glenn and Harriss, announcing that the Senate was now organized and ready for the transaction of business.

Thereupon the Speaker appointed a committee composed of Messrs. Welch, Hardin and Street to notify the Governor that this General Assembly is fully organized and ready for business, and ready to receive any communication he may desire to make.

Said committee retired and after a time reported that they had performed that duty, and that the Governor had informed them that he would in due time transmit to this House a communication in writing.

The Speaker appointed a committee composed of Messrs. Claude M. Thomas, A. L. Hamilton and S. Lee McGohan to notify the Senate that this House of Representatives is fully organized and ready to proceed with the business of this General Assembly.

Said committee retired and after a time reported that they had performed that duty.

Mr. T. P. Oliver offered the following resolution, viz.:

H. Res. 1. Resolution to adjourn over to 1:30 p. m. Monday next, January 14, 1918.

Be it resolved by the House of Representatives, the Senate concurring therein,

That the joint rules be suspended, and when the House adjourns today it be to meet again on Monday next, January 14, 1918, at 1:30 p. m.

Said resolution was adopted.

Mr. Klair offered the following resolution, viz.:

Resolved, that the Speaker be authorized to appoint a Committee on Rules, composed of thirteen (13) members, of which the Speaker shall be ex-officio a member and chairman.

Said resolution was adopted.

Mr. Murphy offered the following resolution, viz.:

Be it resolved by the House of Representatives,

That the rules governing the 1916 session of the House of Representatives be adopted as the temporary rules gov-

erning this body until the Committee on Rules has prepared the rules of the 1918 session, with the following exception:

Rule No. 40 governing rules of 1916 session be amended so as to read as follows:

Rule No. 40. The standing rules of the House and the regular order of business shall not be suspended, amended or interrupted unless by a vote of the majority of the members present and voting.

Said resolution was adopted.

Mr. Claude M. Thomas offered the following joint resolution, namely:

H. Res. 2. Joint resolution ratifying a proposed amendment to the Constitution of the United States of America.

Whereas, both Houses of the sixty-fifth Congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America, in words, to-wit, "Joint resolution proposing an amendment to the Constitution of the United States.

"1. Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein), that the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution.

"ARTICLE —

"Section 1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the ex-

portation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

“Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

“Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided by the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

Therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the General Assembly of the Commonwealth of Kentucky.

Section 2. That certified copies of this preamble and joint resolution be forwarded by the Governor of this Commonwealth to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Klair moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Waggoner offered the following joint resolution, viz.:

H. Res. 3. A joint resolution proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting after June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors

with certain exceptions and providing for the enforcement thereof.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Kentucky:

Upon the concurrence and agreement of three-fifths of all of the members elected to each House, the yeas and nays being taken thereon, and entered in full in their respective journals, that the following amendment to the Constitution of the Commonwealth of Kentucky be, and hereby is, proposed to the voters of the State for their ratification or rejection:

“Section —. After June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors, except for sacramental, medicinal, scientific or mechanical purposes, in the Commonwealth of Kentucky, is hereby prohibited. All sections or parts thereof of the Constitution in so far as they may be inconsistent with this section are hereby repealed and nullified. The General Assembly shall enforce this section by appropriate legislation.”

This proposed amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under the Constitution of Kentucky and under the law of the Commonwealth of Kentucky in force at the time of the submission, except there shall be provided and furnished each voter a separate ballot, on which there shall only be printed the substance of this amendment clearly indicated upon said ballot, and two spaces shall be left upon the right of same, one for votes favoring the amendment to be designated by the word “Yes,” and one for votes opposing the amendment to be designated by the word “No.” The elector or voter shall designate his vote by a cross mark, thus “X,” placed opposite the word “Yes” or the word “No.”

Ordered, that said resolution lie on the Clerk's desk.

A message was received from the Senate announcing that the Senate had concurred in a joint resolution proposed by the House of the following title, viz.:

H. Res. 1. Resolution to adjourn over to 1:30 p. m. Monday next, January 14, 1918.

A message was received from the Governor, in writing, as follows, viz.:

Gentlemen of the Senate and House of Representatives:

The people of this Commonwealth have recently demanded of the legislative branch of this government the most elaborate and far-reaching reforms, and have pledged public servants to many changes in the organic and statute law, by the specific declaration of one or both political parties.

We may at this time review the excellent work of two sessions of the General Assembly with commendable pride—it is a record of achievement. Wise and well considered laws have been passed extending and improving public highways and amending the Constitution in order that the labor of convicts might be utilized to that end; the school system has been made more efficient and practical by acts preventing sudden and unnecessary changes in text books; an adequate anti-trust act now protects the citizens of the State from extortion or oppression; the integrity of the electorate and the independence of legislative assemblies have alike been safeguarded by the passage of a corrupt practices act and laws regulating lobbying and prohibiting the use of free passes by public officials have been passed. For the protection of labor and the more just remuneration of those injured in industrial pursuits, a workmen's compensation act, now in operation, has merited the approval of the employer and employed. An

old and archaic taxing system has been abolished and a new and modern method, by actual experience, is more than meeting the most sanguine expectations of its authors and its friends. The county unit law has been supplemented by acts making bootlegging a felony and is rigorously enforced. Every pledge made the people two years ago has been kept in letter and in spirit.

It is your pleasant privilege to complete the great work so auspiciously begun.

EDUCATIONAL INSTITUTIONS.

The old College of Arts, a secluded spot where literary dilettanti and learned philosophers, "in the still air of delightful studies," refined the tastes and embellished the understanding of a few favored youths, destined to adorn the so-called learned professions, is rapidly making way for institutions better adapted to the giant task of the hour—the mastery of material things.

The whole educational system in Kentucky, from the district school to the University of Kentucky, should be so co-ordinated and integrated that the student may pass through the various departments of the entire series without useless expense, loss of time or duplication of work.

The school is an arm and the right arm of the State. It touches all its activities and its doors open into every avenue of useful endeavor, from the highest to the lowest. Within its walls today are the capable and aspiring youths who tomorrow will be called upon to construct highways, open mines, operate vast mills and furnaces and solve for us the problem of the old world, the preservation and intensive culture of the soil.

If we would save the expense of educating our children abroad or the humiliation of importing the efficient to do this work at home, we must look with renewed energy and vigilance to the maintenance and more perfect development of

our educational institutions. The Eastern and Western Normal Schools are a genuine boon to the State. Teachers leaving these schools, filled with the fine and sanguine spirit of their preceptors, are prepared to emulate the energy and concentration to a noble cause which distinguishes the eminent scholars in charge of these institutions.

The unfortunate jealousies and dissensions which have so long impaired the usefulness of the State University are, I am happy to advise you, at last at an end. The differences between the University and the Department of Agriculture have been amicably adjusted and both departments are at this time operating in the most hearty and cordial co-operation in obedience to the provisions of an act of the last General Assembly. The school's internal dissensions were too deep seated to be reached or remedied by that act, and between wrangling of deans and professors and the open insubordination of the student body, many of the best friends of the institution expressed well grounded fears for its future usefulness. For that reason I suggested a most thorough and searching investigation of every department of this institution. Such an investigation having been authorized by the Board of Trustees, I appointed Messrs. Robert G. Gordon, J. A. Annon, J. I. Lyle, James W. Turner and H. M. Froman as members of a committee empowered to make the inquiry suggested. These gentlemen, assisted by Kendrick C. Babcock, Thos. F. Kane and Charles Maxwell McConn, educators of long and varied experience and national renown, gave many weeks of the most assiduous attention to their difficult task. The report of this Survey Commission, subsequently adopted by the Board of Trustees, involves a complete reorganization of the institution. Under the administration of the new President, Dr. McVey, there is every prospect for efficient service, hearty and harmonious team work by the faculty and application and obedience by the student body.

The report of this commission recommends the enactment of certain legislation essential to the effectual inauguration of the reforms suggested, viz.:

(1) An amendment to the present law providing for scholarships and repealing the present scholarship provision.

(2) An amendment to the law creating the present Agricultural Extension Board.

(3) An amendment to the present statute providing for a board of fifteen members, no two of whom shall be from the same county, in lieu of the present board of thirty-two members.

(4) An amendment to the present law providing for quarterly meetings of the Board of Trustees.

PUBLIC ROADS.

I can not too strongly urge your most earnest and assiduous attention to legislation providing for the extension of public highways and their maintenance in the highest state of efficiency. The success which has attended the employment of convicts in road construction has vindicated the wisdom of the last General Assembly in proposing an amendment to the organic law authorizing the employment of persons hitherto confined within the walls of penal institutions for this purpose.

In order that this State may secure without question or delay the full benefit of all appropriations made by the national government for the construction of public roads in the Commonwealth, it is necessary that the statutes be so amended as to comply with the conditions imposed by the Federal Aid Road Act passed by Congress in 1916. The Federal Government has requested that we strike from our present road laws that section requiring the approval of the Sinking Fund Commissioners for all Federal Aid projects and that the entire matter be placed in the hands of the Department of Public Roads. This should be done.

The general use of motor driven vehicles has revolutionized methods of road construction. A covering of a few inches of "napped" limestone is no longer sufficient to meet the wear of motor cars moving at a high rate of speed or trucks burdened by a load of many tons. No thoroughfare will sustain heavy traffic of this character without some kind of waterproof binder, and asphaltum and oil are expensive. The general public should not be called upon to bear practically the whole burden of the construction of such roads rendered necessary and worn away in the main by the use to which they are put by a few. After a period of continued rains or heavy freezes, our public roads are often literally ripped open by heavy and narrow-tired trucks and steel-tired vehicles, bearing a burden of five or six tons. The use of such carriers should be rigidly regulated by the Road Department and a heavy license imposed. The automobile license should be increased. To build such roads and neglect them until their impassable condition necessitates their reconstruction, is an enormous and inexcusable waste. Small abrasions, easily and instantly repaired by a few shovelsful of rock or macadam, enlarged by the wear of many wheels and the destructive action of the elements, soon result in the disintegration of the whole surface. "A stitch in time saves nine" in road maintenance.

The patrol system is an economic necessity and should be inaugurated upon all State aid roads.

The Department of Public Roads and the County Road Engineers of Kentucky earnestly recommend the reforms I have indicated.

PENAL INSTITUTIONS.

The Board of Prison Commissioners report that upon taking charge of the penal institutions of the State, they were in great need of immediate and extensive repairs. This condition has been materially improved by re-concreting walks and

driveways, painting roofs and buildings, renewing floors and stairways and replacing worn out apparatus in power plants. Cell house "A," recently destroyed by fire, has been replaced by a fire proof structure at a cost of \$85,000.00, and the physical and sanitary condition of the prison materially improved. Fuel has been conserved in all three institutions by the installation of air draft systems under all boilers.

New dairy and cattle barns have been built at Greendale and twelve hundred feet of water main laid for domestic use.

Over one hundred thousand dollars have been expended in much needed permanent improvements. The board reports the women's department of the State Reformatory to be a fire trap and in a miserable condition which no possible repair can render a safe and sanitary department for the confinement of female convicts. The conversion of the old Mansion into a branch of this reformatory for female prisoners is suggested.

The board has just executed contracts for the labor of such prisoners as are still necessarily retained within the prison walls, which exceeds by forty-five thousand dollars amounts previously paid by contractors for similar labor.

Under authority of the recent act of the General Assembly, convicts have been employed in the construction of roads. The sanitary condition of the camps in Bell and Pike counties is excellent and no sickness among the men has been reported. The advantageous use of prisoners for road building purposes has been demonstrated by actual experience.

The high cost of provisions has rendered the intensive culture of all lands under the control of these prisons of the most prime importance. Notwithstanding the fact that practically all the labor utilized upon the prison farms is physically or mentally defective, the farm near the reformatory, after deducting all depreciation and other charges, shows a net gain of nine thousand dollars, and the farm at Eddyville has a balance to its account of thirteen thousand dollars. The

present prospective high cost of farm products suggests the advisability of the more extensive use of convicts in the cultivation of farm lands, and additional land should be secured by lease or purchase.

CHARITABLE INSTITUTIONS.

About forty years ago the State made a per capita allowance of one hundred and fifty dollars for the maintenance of mental defectives; this amount was subsequently increased five dollars. Those in charge of our charitable institutions are not permitted to exceed this allowance. Present conditions have enormously increased the cost of fuel, food and clothing, and the Feeble-minded Institute at Frankfort and the asylums at Lexington, Lakeland and Hopkinsville have been maintained only by the most strict economy and the ablest management on the part of the Board of Control and the superintendents of these institutions. This apparently impossible task has been accomplished notwithstanding the fact that flour has increased in price from five dollars to twelve dollars per barrel; beef from six cents to fifteen cents per pound; sugar from five cents to eight and one-half cents per pound; beans from two dollars to ten dollars per bushel; lard from eight cents to twenty-four cents per pound; bacon from nine cents to twenty-four cents; coal from one-fifty to five-fifty per ton, and other articles of prime necessity in proportion, including lumber, iron, steel, farming implements, etc. The superintendents at Lakeland, Lexington and Hopkinsville, in their biennial reports, generously and without cause, attribute no small measure of their success to the energy and efficiency of their stewards, in the intensive and scientific cultivation of the lands appurtenant to these institutions. It is the plain duty of the State to comfortably house and to provide wholesome food and clothing for its helpless and unfortunate wards. An adequate increase in the allowance previously made is obviously necessary.

FOOD FISH.

The prime necessity for the conservation of beef and pork for the use of our armies and our allies and their increased cost, suggest the propriety of a modification of the game laws permitting the taking of food fish from boundary streams by the use of seines and nets. Other States bordering on the Ohio and Mississippi have extended this privilege to their citizens and Kentuckians should not be debarred from such use of the waters of these streams. The existing law should not be amended without a thorough investigation of the subject, and the proper regulation of the use and mesh of seines and nets so as to prevent the taking of unmarketable or immature fish.

WORKMEN'S COMPENSATION ACT.

The practical operation of the Workmen's Compensation Act, passed at the last regular session of the General Assembly, has established by the test of actual experience, the wisdom of the act and the efficiency of the commission charged with the duty of enforcing its provisions. Out of 3,331 compensable cases reported, 2,790 settlements have been approved and 413 filed. Out of 12,665 accidents reported, only 128 applications for hearings on contested claims have been made, and only 7 appeals have been taken to the local circuit courts.

With the exception of \$7,500.00 appropriated by the last General Assembly for the purpose of organizing this department, it is wholly self-supporting. This is a most commendable showing when you consider the fact that other States have spent over a million a year on their compensation systems and that an expenditure of from one hundred thousand to five hundred thousand is not unusual. The status of Kentucky's Workmen's Compensation Commission is unique. In addition to operating at its own expense, the decrease in the cost of litigation as a result of the establishment of this commission is approximately \$75,000.00 per year, to

say nothing of the great saving in cost and expense of litigation to employees and employers and to the Commonwealth.

A NEW SYSTEM OF TAXATION.

For a generation this Commonwealth has been burdened by an unjust, archaic and inadequate system of taxation. It failed to raise revenue sufficient to meet authorized expenditures and this amount was bunglingly and inequitably imposed. This deficit was met by the issue of interest-bearing warrants. The increase of outstanding warrants for the fiscal year ending June 30, 1916, amounted to \$997,879.26 (this period including six months of the present and six months of the previous administration). For the fiscal year ending June 30, 1917, it amounted to \$544,432.56, a decrease of \$453,446.70. No amount of retrenchment or economy could, however, bring the State's expenditures within its current revenue. "The old plan of taxation," says the chairman of the Tax Commission, "penalized the man who had regard for the law and rewarded the man who ignored the law." The more honest a man was in making his assessment, the greater the penalty imposed upon him, and the greater his disregard for the law, the greater his reward. The difference between assessed values in different counties upon the same character of property was as startling as the inequalities between citizens. We find real estate in one county assessed at 30% of its actual value, in another 80%; mules valued in one county at \$36.00 per head, in another \$107.00, and so *ad infinitum*. Certain kinds of property, usually in the hands of the rich, paid no tax at all. This haphazard method of securing the State's revenues has been superseded by a just and modern system by which every character of property, tangible and intangible, real and personal, is equitably assessed. No legitimate business interest, large or small, has been harassed or penalized and none has escaped an equitable share of the necessary burden of taxation.

The tax on bank deposits has been increased from \$62,024.59 to \$179,147.72.

Building and loan associations, hitherto untaxed, now pay an annual tax of \$19,351.92 into the State Treasury.

From oil wells, which practically escaped all tax, we have collected \$95,186.89.

An additional tax of two cents per gallon on whiskey has produced \$650,000.00, and the new tax of ten cents per barrel on beer brings in \$51,117.72 more.

Race tracks, hitherto untaxed, now contribute annually \$46,700.00 to the State's revenues.

The mortgage recording tax produces \$12,000.00, and an additional corporation tax, \$89,333.00; or, in other words, the additional tax on corporations and alcoholic liquors and the new tax on bank deposits, oil wells, building and loan associations and race tracks, produce a new and annual revenue of \$1,142,836.84.

Workmen's tools and agricultural implements are exempt; the rate on the farmer's live stock has been reduced from fifty-five cents to ten cents and on his real estate from fifty-five cents to forty cents on the hundred dollars. Notwithstanding these surprising reductions on the character of property which has hitherto borne the greatest burden to taxation, we have by a system of scientific and equitable valuation and assessment, uncovered and subjected to taxation, over \$400,000,000.00 of intangible and other property which had hitherto escaped the notice of the tax gatherer and have secured a net increase in the State's revenues, conservatively estimated at \$2,343,000.00.

In order to increase the efficiency and facilitate the operation of this new system, certain changes and amendments to the existing law are suggested by the Tax Commission and most earnestly commended to your favorable consideration, viz.:

(1) The General Assembly should devise some plan within constitutional limitations for the payment of an adequate compensation to the assessors for the additional labor imposed upon them by the terms of this act.

(2) The amendment of section 19 of chapter 1 of the Acts of 1917, enabling county judges in their discretion to increase the number of county supervisors.

(3) An amendment of the present law by which assessors may be paid 80% of the compensation due them before the completion of the assessment.

(4) An amendment of sub-section 10 of section 12 of chapter 1 of the Acts of 1917, providing for an annual meeting of the assessors of the State at Frankfort, Kentucky.

(5) An amendment of section 1, chapter 2, of the Acts of 1917, simplifying the distribution of taxes collected by the State.

(6) The laws imposing a license tax on certain professions should be amended and modernized.

(7) Section 4023, Kentucky Statutes, should be amended so as to omit that portion requiring the purchaser to pay taxes on property sold before February first, and the seller to pay them on property sold after that date.

(8) An amendment of section 4051a, Kentucky Statutes, so as to require county clerks to certify to the assessor monthly lists of purchase money, notes and mortgages.

(9) An amendment of the law requiring non-residents to file descriptive lists of their property.

(10) An amendment of the existing law authorizing the assessment of property as of July 1st of each year.

(11) An amendment to the law imposing tax on oil.

(12) Property in cities and towns should be assessed on the same date for county and city purposes.

(13) The allowance of a just compensation to county clerks for making out tax bills.

(14) The appropriation of \$50,000.00 for the employment of necessary agents, clerks, stenographers, etc., for the successful operation and execution of the act.

A BUDGET SYSTEM.

The new tax system bids fair to raise sufficient revenue to meet the current expenses of the State and to afford a balance for a sinking fund, to be applied in the liquidation of the State's existing indebtedness. In order that this income may be economically and judicially expended, a budget system should be inaugurated without delay.

Section 171 of the Constitution of the State provides as follows:

“The General Assembly shall provide by law an annual tax which with other resources shall be sufficient to defray the estimated expenses of the Commonwealth for each fiscal year.”

The General Assembly can not very well estimate the expenses of the Commonwealth under our present methods of making expenditures. The General Assembly should have before it at each regular session a complete list of all acts providing for the payment of money from the treasury of the State. The needs of the various institutions and departments of the government may not remain the same from year to year. If the legislature should assemble all acts appropriating money into one act and re-enact such law with such changes as might be necessary at every regular session, the General Assembly could intelligently estimate the expenses of the Commonwealth and fix the tax rate for each fiscal year and thus carry out the mandate of the Constitution. Under this plan the General Assembly could have control over the expenditure of the public funds of the State and could economize by reducing appropriations so as to bring them within the estimated revenues when such step might be found necessary.

VOTES FOR SOLDIERS.

Those who endure the hardships, privations and perils of foreign service should, under no circumstances, be denied a voice in the conduct of the affairs of the State and Nation on account of their absence on this heroic mission. For that reason an act should be passed at this session of the General Assembly authorizing the citizens of this Commonwealth to vote while in the service of their country and, for the time being, without the territorial limits of the State.

COUNCIL OF NATIONAL DEFENSE.

Other States of the Nation have appropriated for the maintenance of their Councils of National Defense. This council was organized after the adjournment of the last session of the General Assembly and this is the first opportunity the State has had to provide funds for this necessary and admirable service. The distinguished gentlemen who are assisting the government in the mobilization of troops, in the conservation of food, fuel and other material resources, are, in the main, acting without any material compensation. The necessary activities of this council, however, entail considerable expense, and it is only just that this should be borne by the people of the Commonwealth and not by those individuals who have, at the request of the President of the United States, consented to give freely of their time and talents to the service of their country.

LIQUOR QUESTION SHOULD BE SPEEDILY DETERMINED.

Amendments to the State Constitution prohibiting the manufacture and sale of alcoholic liquors will be called to the attention of the session of the General Assembly. I sincerely hope that this question will receive at your hands a speedy determination. Almost without exception, every Representative and every Senator has already formed and expressed an opinion upon this subject. The attention of the public has been centered upon it for years. Nothing is to be gained by

any acrimonious and protracted discussion. The people of Kentucky have a right to expect that any amendment submitted to their determination shall be clear and candid provision, without ambiguity or equivocation, in order that they may determine, once and for all, whether or not traffic in alcoholic liquors shall be absolutely prohibited.

A proposed amendment to the Constitution of the United States, prohibiting the manufacture and sale of alcoholic liquors, will be submitted to your consideration for your ratification or rejection.

The powers of the old world seem deadlocked in a bloody and pitiless conflict that has made a desolation or a shambles of all Europe. The peace, happiness and independence of mankind tremble in the balance, and the sword of Brennus is in the hands of this puissant republic. The maintenance of our national honor and the perpetuity of democratic institutions throughout the world depend now upon the power of the United States to bring victory to the banners of her allies. To this great cause we have devoted the wealth and the young life of the nation. The duty of conserving the resources and mobilizing the manhood of the Commonwealth has been imposed by the Federal Government upon State officials, and in the discharge of this vital and enormous task, they have the right to ask and confidently to expect the hearty and instant co-operation of the legislative branch of this government. A common danger should silence partisan and factional differences. Every public servant should rise to the great opportunity, purge his heart of every personal interest or petty ambition, and consecrate his time and his talents to the assiduous and disinterested service of the State.

Respectfully submitted,

A. O. STANLEY,
Governor of Kentucky.

Frankfort, Kentucky.

January eighth, nineteen eighteen.

Mr. Laughlin moved that the Governor's message be printed and laid upon the desk of each member.

Said motion was agreed to.

Mr. Meyers moved that the House do now adjourn until Monday next, January 14, 1918, at 1:30 p. m., in accordance with a joint resolution heretofore adopted by the House and concurred in by the Senate.

Said motion was agreed to

And then the House adjourned to meet on Monday next, January 14, 1918, at 1:30 p. m.

MONDAY, JANUARY 14, 1918.

The House was opened with prayer by the Rev. Roger T. Nooe, pastor of the Christian church of the city of Frankfort.

The roll call of members to ascertain the presence of a quorum resulted as follows, viz.:

Ed. L. Allen	T. L. Caudel	Lark Garnett
Chas. Ashby	H. C. Chappell	M. E. Gilbert
W. J. Bailey	Everett Cobb	W. H. Hager
L. D. Baldauf	John Cook	A. L. Hamilton
J. H. Ballard	A. S. Cooper	L. B. Hamilton
Robert Bays	Fred Cornelius	E. C. Hardin
W. T. Beckham	W. P. Cropper	B. H. Harris
B. C. Beckmann	James S. Cruse	David J. Howard
H. V. Beil	J. C. Davis	J. W. Johnson
Leroy Bonta	H. L. Dixon	Leslie P. Jones
W. P. Bowman	W. G. Dycus	Griffin Kelly
O. V. Brown	F. A. Easterling	W. F. Klair
R. J. Cain	I. H. Gabbard	H. A. Knollmann

S. D. Laughlin	T. P. Oliver	Ben Street
M. E. Lee	W. F. Paris	John W. Swope
J. E. Lilly	Luther Pieratt	Claude M. Thomas
Harry J. Meyers	Ote Piper	Geo. F. Thompson
Claude D. Minor	Richard Radcliffe	S. G. Thornberry
Ryland C. Musick	H. C. Rice	J. Wood Vance
A. J. McCandless	Lewis Ryans	F. C. VanHoose
W. P. McDonogh	Avery Sartin	Geo. C. Waggoner
H. C. McGehee	Joe Schneider	G. Frank Walthal
S. Lee McGehan	Claude B. Smith	T. R. Welch
H. C. McLellen	R. T. Smith	E. G. Young
W. B. O'Bannon	T. J. Smith	
A. J. Oliver	Thomas Spurrier	

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On motion of Mr. Minor the reading of the Journal of Tuesday, January 8th, was dispensed with, and Journal approved.

Mr. Radcliffe offered the following resolution, viz.:

Be it resolved by the House of Representatives:

That the Chief Clerk be directed to arrange with the white pastors of the various churches of the city of Frankfort, so that one of said pastors may be present at the opening of the daily sessions of the House of Representatives to offer prayer.

Said resolution was adopted.

Mr. Rice offered the following joint resolution, viz.:

A joint resolution memorializing the Congress of the United States in regard to the immediate necessity of providing highway transportation connecting the States of the middle west, and all territory north of the Ohio river, with the southern States and the Atlantic seaboard and Gulf terri-

tories; petitioning Congress to enact a law creating a military post road on that section of the Dixie Highway, in the States of Kentucky and Tennessee, lying and extending between the Kentucky river on the north and Knoxville, Tenn., on the south; and appropriating by Congress of a sufficient sum of money, to be made available at once, for the immediate construction of said designated highway.

Whereas, a great national necessity, one of the exigencies of the present war crisis, has impelled the President of the United States, under the authority vested in him, to assume control of the railroads and other systems of transportation in this country, and,

Whereas, such government control and management has already resulted in the suspension of a part of the passenger train service and serious results having occurred in the transportation of freight, with a further curtailment of both passenger and freight service imminent, and,

Whereas, this condition compels the people of the country to resort to the use of the public highways for the transportation of both freight and passengers to a large extent, which use may become more and more constant and urgent as the military necessities of the nation increase from time to time, and,

Whereas, as a direct result of such existing conditions the entire middle west, and territory north of the Ohio river, may be cut off and segregated from the southern States and the Atlantic seaboard and Gulf territories because of the lack of an adequate highway, of sufficient construction, to enable its use for transportation by either freight or passenger vehicles, and,

Whereas, the Dixie Highway, the most important highway in the United States, running north and south, which extends from Chicago and other points north of the Ohio river, to Miami, Florida, connecting Knoxville, Chattanooga, Atlanta and other southern cities with lateral highways reach-

ing every portion of the Atlantic seaboard and the Gulf States, is almost completed and ready for traffic, with the exception of a stretch of mileage across the Cumberland mountains and extending from the Kentucky river on the north to Knoxville, Tenn., on the south, a distance of about 180 miles, all of which completed route has practically been surveyed, laid out and graded, but which at the present time is not capable of being traversed, which section of highway, however, when constructed, will open up the shortest and most direct highway transportation route between the two great sections of country indicated above and will result in aiding the movement of both freight and passenger traffic, providing also at the same time an adequate transportation system for military and governmental uses; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it is the sense of the General Assembly of the Commonwealth of Kentucky that there exists at the present time the necessity for an adequately constructed national highway, connecting the States of the middle west and territory north of the Ohio river with the southern States and the Atlantic seaboard and Gulf territories and that such connecting national highway should be located along the route of the eastern division of the Dixie Highway and comprising that sector of said highway extending between the Kentucky river on the north and Knoxville, Tennessee, on the south.

§ 2. That the Congress of the United States is hereby petitioned to enact a law at the earliest possible moment designating, defining and declaring said sector of the Dixie Highway, as aforesaid described, to be a national highway; that a sum of money, sufficient in amount and as much as may be necessary, be appropriated for the immediate construction of said stretch of 180 miles of said highway; that the Secretary of Agriculture of the United States be authorized, empowered and directed to proceed at the earliest time, and not

later than April 1, 1918, to construct and complete said national highway, hereinbefore described, in order to make transportation over same effective at the earliest possible moment.

§ 3. That the Kentucky Senators and Representatives in Congress be, and they are hereby, requested to exert their utmost endeavor in securing the passage of a law at the earliest date, establishing this national highway as a post road and securing the appropriation of sufficient money for its immediate construction, in order that said highway may be available for use in the transportation of freight and passenger traffic at the earliest period of time.

Ordered, that said resolution lie on the Clerk's desk.

The Speaker announced his appointment of the following as the standing committees of the House of Representatives for this session:

STANDING COMMITTEES OF THE HOUSE.

AGRICULTURE—Claude M. Thomas, Chairman; John B. Thomas, Leroy Bonta, Lark Garnett, W. B. O'Bannon, W. N. Winn, W. P. Bowman, Charles Ashby, Fred Cornelius.

ALCOHOLIC LIQUOR TRAFFIC—S. L. McGohan, Chairman; E. C. Hardin, J. W. Swope, H. C. Rice, S. D. Laughlin, Walter J. Bailey, L. L. Embry, A. A. Demunbrun, R. T. Smith.

APPROPRIATIONS—E. C. Hardin, Chairman; J. M. Elliston, W. T. Beckham, E. G. Young, Lark Garnett, Lawrence Dixon, A. J. Oliver, F. A. Easterling, H. C. McGehee.

ASSIGNMENT OF COMMITTEE ROOMS—Walter J. Bailey, Chairman; A. L. Baldwin, J. L. Bradford, R. J. Cain, E. C. Hardin, A. Sartin, Dr. W. B. O'Bannon.

BANKS AND BANKING—J. E. Lilly, Chairman; Ben S. Street, Claude D. Minor, W. T. Beckham, Claude M. Thomas, W. F. Klair, W. P. Bowman, J. Cook, R. T. Smith.

COMPENSATION FOR INDUSTRIAL INJURIES—John T. Murphy, Chairman; E. Cobb, M. E. Gilbert, W. P. McDonogh, R. Radcliffe. O. V. Brown, Edward L. Allen, A. L. Baldwin, Lilburn Phelps.

CONSTITUTIONAL AMENDMENTS—W. B. O'Bannon, Chairman; B. S. Street, E. C. Hardin, J. Hogan Ballard, David J. Howard, Dr. O. V. Brown, A. J. Oliver, Lilburn Phelps.

CORPORATE INSTITUTIONS—H. J. Meyers, Chairman; L. B. Hamilton, B. S. Bailey, Lark Garnett, R. Radcliffe, H. C. Rice, J. S. Hall, J. S. Cruse, L. L. Embry.

COMMERCE AND MANUFACTURING—Claude D. Minor, Chairman; B. S. Bailey, T. L. Caudel, Lark Garnett, G. Frank Walthal, A. Sartin, J. L. Bradford, L. L. Embry, J. Huddleston.

CLAIMS—Jas. S. Cruse, Chairman; Claude B. Smith, E. Cobb, Lawrence Dixon, J. W. Swope, A. L. Baldwin, A. A. Demunbrun, J. S. Hall, W. F. Paris.

CLASSIFICATION OF CITIES AND TOWNS—L. B. Hamilton, Chairman; E. G. Young, E. Cobb, J. W. Vance, Charles L. Hunter, W. F. Paris, A. L. Baldwin, L. L. Embry, J. S. Hall.

COURT OF APPEALS—M. E. Gilbert, Chairman; B. S. Bailey, R. Bayes, J. C. Davis, H. C. McLellen, H. C. Rice, J. Lazarus, J. S. Hall, W. F. Paris.

CIRCUIT COURTS—T. L. Caudel, Chairman; Leslie P. Jones, B. S. Bailey, B. C. Beckmann, J. Lazarus, W. P. McDonogh, H. C. McLellen, A. S. Cooper, J. Huddleston.

COUNTY AND CITY COURTS—Lilburn Phelps, Chairman; E. G. Young, W. T. Beckham, M. E. Gilbert, H. C. Rice, Joe Schneider. A. S. Cooper, L. L. Embry, H. C. McGehee.

CODES OF PRACTICE—W. T. Lasley, Chairman; R. C. Musick, M. E. Gilbert, W. P. McDonogh, C. M. Thomas, Jas. T. Thornton, J. Lazarus, Lilburn Phelps, J. C. Davis.

CRIMINAL LAW—A. J. Oliver, Chairman; Jas. T. Thornton, M. E. Gilbert, W. H. Jones, C. M. Thomas, B. C. Beckmann, J. Lazarus, H. C. McLellen, Geo. C. Waggoner.

CITIES OF THE FOURTH CLASS—Lark Garnett, Chairman; David J. Howard, H. V. Bell, J. W. Swope, Leslie P. Jones, John B. Thomas, H. C. McGehee, H. C. Chappell, A. L. Baldwin.

CITIES OF THE FIFTH AND SIXTH CLASS—Everett Cobb, Chairman; Walter J. Bailey, S. Lee McGohan, Ben S. Street, R. Radcliffe, T. J. Smith, J. L. Bradford, A. Sartin.

CONFEDERATE HOME—J. W. Swope, Chairman; B. C. Beckmann, Lark Garnett, E. C. Hardin, S. D. Laughlin, E. Thomas, H. C. McLellen, S. H. Moore.

CHARITABLE INSTITUTIONS—Claude B. Smith, Chairman; Leroy Bonta, W. T. Lasley, W. N. Winn, Dr. T. R. Welch, H. C. Rice, H. C. Chappell, R. J. Cain, R. Bayes.

EXECUTIVE AFFAIRS—J. W. Johnson, Chairman; Walter J. Bailey, H. V. Dill, W. F. Klair, Joe Schneider, Jas T. Thornton, C. L. Hunter, R. T. Smith, L. D. Baldauf.

EDUCATION No. 1—H. V. Bell, Chairman; H. V. Dill, S. D. Laughlin, Luther Pieratt, R. Radcliffe, Edward L. Allen, J. L. Bradford, R. J. Cain, B. H. Harris.

EDUCATION No. 2—T. P. Oliver, Chairman; Leslie P. Jones, J. Wood Vance, Griffin Kelly, Thos. Spurrier, F. A. Easterling, Charles Ashby, Robert Bayes, T. J. Smith.

ENROLLMENTS—E. G. Young, Chairman; John T. Murphy, W. T. Beckham, E. Cobb, Jas. Thornton, F. Cornelius, J. Huddleston.

FEDERAL RELATIONS—J. Wood Vance, Chairman; Charles Ashby, W. H. Hager, W. F. Klair, S. D. Laughlin, E. Thomas, S. G. Thornberry.

FISH AND GAME—Joe Schneider, Chairman; David J. Howard, Griffin Kelly, Ote Piper, W. P. McDonogh, C. M. Thomas, B. H. Harris, W. P. Bowman, F. A. Easterling.

FORESTRY—Lawrence Dixon, Chairman; H. V. Bell, M. E. Lee, L. S. McGohan, Ben S. Street, J. W. Vance, J. Cook, B. H. Harris.

GEOLOGICAL SURVEY—John C. Davis, Chairman; R. Bayes, H. J. Meyers, Claude D. Minor, Ryland C. Musick, T. P. Oliver, E. Thomas, F. C. VanHoose.

INTERNAL IMPROVEMENTS—Tom Spurrier, Chairman; R. Bayes, H. C. Chappell, F. C. VanHoose, Lawrence Dixon, S. G. Thornberry, James T. Thornton, W. J. Bailey, H. V. Bell.

IMMIGRATION AND LABOR—H. V. Dill, Chairman; L. B. Hamilton, J. W. Swope, J. W. Vance, S. G. Thornberry, W. F. Klair, E. Thomas, F. Cornelius, R. T. Smith.

INSURANCE, FIRE AND MARINE—Ben S. Street, Chairman; M. E. Lee, H. C. Rice, W. P. Cropper, T. P. Oliver, Leroy Bonta, Tom Spurrier, A. A. Demunbrun, J. S. Cruse.

INSURANCE, LIFE AND ACCIDENT—Richard Radcliffe, Chairman; W. H. Hager, M. E. Lee, S. G. Thornberry, T. L. Caudel, G. F. Thompson, F. Cornelius, J. Cook, R. T. Smith.

INTERURBAN AND CITY RAILWAYS—W. T. Beckham, Chairman; L. B. Hamilton, J. W. Johnson, A. L. Hamilton, T. R. Welch, Leroy S. Bonta, S. G. Thornberry, H. C. McLellen, J. S. Cruse, B. H. Harris.

JUDICIARY—David J. Howard, Chairman; L. B. Hamilton, C. M. Thomas, B. S. Bailey, J. W. Vance, C. Miller, H. C. McLellen, A. S. Cooper, I. H. Gabbard.

KENTUCKY STATUTES—W. P. McDonogh, Chairman; T. L. Caudel, John T. Murphy, W. T. Lasley, Ben S. Street, A. J. Oliver, J. C. Davis, Edward L. Allen, L. D. Baldauf.

JUVENILE COURTS AND CHILDREN'S HOMES—R. C. Musick, Chairman; T. L. Caudel, John T. Murphy, J. B. Thomas, B. C. Beckmann, C. Miller, L. L. Embry, I. H. Gabbard, E. Thomas.

MILITARY AFFAIRS—M. E. Lee, Chairman; S. L. McGohan, John B. Thomas, W. L. Lasley, D. J. Howard, J. S. Hall, J. Lasley, B. H. Harris, W. H. Jones.

MINES AND MINING—W. G. Dycus, Chairman; Walter J. Bailey, David J. Howard, H. A. Knollmann, E. C. Hardin, T. J. Smith, Edward L. Allen, Charles Ashby, L. D. Baldauf.

MUNICIPALITIES—B. C. Beckmann, Chairman; J. Hogan Ballard, H. J. Meyers, Joe Schneider, W. F. Klair, M. E. Gilbert, L. D. Baldauf, H. C. Chappell, J. C. Davis.

PRINTING—A. L. Hamilton, Chairman; J. Hogan Ballard, H. V. Dill, S. L. McGohan, H. V. Bell, C. L. Hunter, C. Miller, H. C. Chappell, J. Huddleston.

PUBLIC BRIDGES—B. S. Bailey, Chairman; W. G. Dycus, J. M. Elliston, Claude D. Minor, Ote Piper, W. H. Hager, W. P. Bowman, F. A. Easterling, W. F. Trusty.

PUBLIC LIBRARIES—Leslie P. Jones, Chairman; Charles Ashby, Leroy Bonta, T. P. Oliver, Geo. C. Waggoner, C. Miller, W. H. Jones, J. Cook, A. R. Hudson.

PUBLIC OFFICES—S. H. Moore, Chairman; John T. Murphy, W. G. Dycus, Arch Hamilton, G. Frank Walthal, Lilburn Phelps, W. P. Bowman, A. R. Hudson, W. F. Paris.

PUBLIC HEALTH—Dr. T. R. Welch, Chairman; Dr. O. V. Brown, Dr. J. E. Lilly, Dr. W. B. O'Bannon, Dr. S. D. Laughlin, H. J. Meyers, A. J. McCandless, Dr. Lewis Ryans, R. J. Cain.

PUBLIC ROADS AND HIGHWAYS—Geo. C. Waggoner, Chairman; J. E. Lilly, J. M. Elliston, C. B. Smith, G. Frank Walthal, M. E. Lee, A. A. Demunbrun, A. S. Cooper, J. L. Bradford.

PUBLIC DITCHES AND FENCES—Griffin Kelly, Chairman; J. W. Johnson, Ote Piper, O. V. Brown, J. E. Lilly, C. B. Smith, A. J. McCandless, C. Miller, Charles Ashby.

PUBLIC UTILITIES—S. D. Laughlin, Chairman; Claude B. Smith, H. A. Knollmann, Claude D. Minor, S. H. Moore, Ote Piper, Lilburn Phelps, W. F. Trusty, J. S. Hall.

PUBLIC WAREHOUSES AND GRANARIES—John B. Thomas, Chairman; W. P. Cropper, Griffin Kelly, S. H. Moore, G. Frank Walthal, J. M. Elliston, F. A. Easterling, J. Cook, I. H. Gabbard.

PUBLIC MONUMENTS AND HISTORICAL RECORDS—J. T. Thornton, Chairman; J. W. Johnson, T. R. Welch, G. Frank Walthal, L. B. Hamilton, I. H. Gabbard, A. S. Cooper, B. H. Harris.

PURE FOOD—Dr. O. V. Brown, Chairman; H. A. Knollmann, W. P. McDonogh, Dr. T. R. Welch, J. Wood Vance, Dr. W. F. Trusty, Dr. Lewis Ryans, A. J. McCandless, A. R. Hudson.

RACING COMMISSION—Dr. Lewis Ryans, Chairman; J. Hogan Ballard, H. V. Dill, Arch L. Hamilton, B. C. Beckmann, A. J. McCandless, A. L. Baldwin.

RAILROADS—W. N. Winn, Chairman; Arch L. Hamilton, Claude B. Smith, J. E. Lilly, Luther Pieratt, A. J. Oliver, W. P. Bowman, R. J. Cain, F. A. Easterling.

REVENUE AND TAXATION—W. F. Klair, Chairman; W. T. Lasley, Geo. C. Waggoner, W. G. Dycus, J. W. Swope, W. B. O'Bannon, O. V. Brown, W. P. Cropper, A. A. Demunbrun, A. J. Oliver, Tom Spurrier, L. D. Baldauf.

RETRENCHMENT AND REFORM—S. G. Thornberry, Chairman; W. H. Hager, R. C. Musick, Griffin Kelly, W. G. Dycus, David J. Howard, I. H. Gabbard, A. R. Hudson, A. J. McCandless.

REDISTRICTING—LEGISLATIVE—Charles L. Hunter, Chairman; H. V. Bell, M. E. Lee, E. G. Young, W. T. Leslie, R. C. Musick, Clarence Miller, Dr. Lewis Ryans, Tom Spurrier.

REDISTRICTING—CONGRESSIONAL—J. M. Elliston, Chairman; S. D. Laughlin, H. A. Knollmann, S. H. Moore, S. L. McGohan, H. V. Dill, G. F. Thompson, F. C. VanHoose, J. C. Davis.

REDISTRICTING—JUDICIAL—W. P. Cropper, Chairman; T. L. Caudel, W. H. Hager, Luther Pieratt, W. T. Beckham, T. P. Oliver, G. F. Thompson, R. Bays, W. F. Paris.

STATE CAPITOL—Ote Piper, Chairman; C. L. Hunter, S. H. Moore, W. B. O'Bannon, Luther Pieratt, L. P. Jones, A. R. Hudson, W. F. Trusty, A. J. McCandless.

STATE FAIR—W. H. Hager, Chairman; J. Hogan Ballard, Leroy S. Bonta, W. P. Cropper, B. C. Beckmann, W. T. Beckham, G. F. Thompson, E. Thomas, A. Sartin.

SUFFRAGE AND ELECTIONS—Leroy S. Bonta, Chairman; Leslie P. Jones, R. C. Musick, Geo. C. Waggoner, W. N. Winn, H. V. Bell, A. Sartin, J. Huddleston, T. J. Smith.

SINKING FUND—H. A. Knollmann, Chairman; W. P. Cropper, Lawrence Dixon, J. W. Johnson, M. E. Gilbert, W. H. Jones, A. Sartin, R. T. Smith, T. J. Smith.

STATE PRISONS AND HOUSES OF REFORM—G. Frank Walthal, Chairman; J. B. Thomas, Joe Schneider, W. N. Winn, Geo. C. Waggoner, T. P. Oliver, James S. Cruse, A. L. Baldwin, A. J. Oliver.

STATE UNIVERSITY — J. Hogan Ballard, Chairman; Charles L. Hunter, Arch L. Hamilton, E. Cobb, T. R. Welch, W. N. Winn, A. L. Baldwin, Fred C. VanHoose, James S. Cruse.

STATE NORMAL SCHOOLS—H. C. Rice, Chairman; Leslie P. Jones, R. Radcliffe, E. G. Young, L. B. Hamilton, John T. Murphy, Fred Cornelius, Tom Spurrier, E. L. Allen.

TUBERCULOSIS—Dr. W. F. Trusty, Chairman; Dr. O. V. Brown, Dr. J. E. Lilly, Dr. W. B. O'Bannon, Dr. T. R. Welch, H. A. Knollmann, Dr. Lewis Ryans, H. C. McGehee, F. C. VanHoose.

WAYS AND MEANS—Luther Pieratt, Chairman; Lawrence Dixon, J. M. Elliston, J. W. Johnson, Ote Piper, W. H. Jones, H. C. McGehee, C. D. Minor, J. T. Murphy.

A message was received from the Senate announcing that they had adopted a joint resolution of the following title, viz.:

S. Res. 3. Concurrent resolution that when the Senate adjourns today that it be for attending War Council at Louisville, and that it be to meet Wednesday at 1:30 p. m., January 16, 1918.

Said resolution reads as follows, viz.:

Whereas, the Council of National Defense and the Kentucky State Council of Defense have arranged a conference of all true patriots to be held in Louisville on January 15th, 1918, and,

Whereas, said conference will be addressed by some of the leading thinkers and officials of our nation and allies, pertaining to our present urgent needs and duties, and,

Whereas a quick awakening to the serious realization of our present dangerous and mandatory needs is urgent in order that our victory over our diabolical enemy may be quickly accomplished, and,

Whereas, we as the legislative body of this splendid Commonwealth, renowned for the patriotic valor of its citizens, should be foremost in helping to warn our people against any danger that might be lurking in the legarthic feeling of security due to the distance from the actual conflict, now, therefore,

Be it resolved by the Senate, the House concurring therein, of the General Assembly of Kentucky:

That when the General Assembly adjourns today that it be for the purpose of attending this conference and that we convene again on Wednesday, January 16th, 1918, at 1:30 p. m.

Mr. Spurrier moved that the rules be suspended and that said resolution be concurred in.

Said motion was agreed to.

Said rules were suspended.

Said resolution was concurred in.

Mr. Claude M. Thomas called up from the Clerk's desk a resolution of the following title, viz.:

H. Res. 2. Joint resolution ratifying a proposed amendment to the Constitution of the United States of America.

(For said resolution see House Journal of January 8, 1918.)

Mr. A. J. Oliver made the point of order that said resolution was not in order for consideration because there had not been received by this House an official certification of a copy of a joint resolution of the Congress of the United States.

Mr. Speaker Crowe overruled Mr. Oliver's point of order.

A message was received from the Governor in writing as follows, viz.:

Office of the Governor, Frankfort.

To the General Assembly of the Commonwealth of Kentucky:

GENTLEMEN—I am in receipt of the hereto attached duly certified copy of a joint resolution of the sixty-fifth Congress of the United States of America, proposing an amendment to the Constitution of the United States.

In transmitting to me the certified copy of said amendment, the Honorable the Secretary of State, Robert Lansing, advised me as follows:

“His Excellency, the Governor of the State of Kentucky, Frankfort, Ky.:

SIR—I have the honor to enclose a certified copy of a resolution of Congress, entitled “A joint resolution proposing an amendment to the Constitution of the United States,” with the request that you cause the same to be submitted to the legislature of your State or such action as may be had, and

that a certified copy of such action be communicated to the Secretary of State, as required by section 205, Revised Statutes of the United States.

I have the honor to be, sir,

Your obedient servant,

(Signed) ROBERT LANSING.

In conformity with the request of the Honorable, the Secretary of State of the United States, I herewith hand you the resolution referred to, to be submitted to the General Assembly for such action as it may deem proper in the premises.

Very respectfully,

A. O. STANLEY,

Governor of Kentucky.

January twenty-first, nineteen eighteen.

No.

UNITED STATES OF AMERICA.

(Seal)

DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I certify that the copy hereto attached is a true copy of a resolution of Congress, entitled "Joint resolution proposing an amendment to the Constitution of the United States," the original of which is on file in this department.

(Seal) In testimony whereof, I, Robert Lansing, Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said Department, at the City of Washington, this twenty-eighth day of December, 1917.

ROBERT LANSING,
Secretary of State.

By BEN G. DAVIS,
Chief Clerk.

S. J. Res. 17.

SIXTY-FIFTH CONGRESS OF THE UNITED STATES OF AMERICA.

At the Second Session,
Begun and held at the City of Washington, on Monday, the
third day of December, one thousand nine
hundred and seventeen.

Joint resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress Assembled (two-thirds of each each House concurring therein):

That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution.

“ARTICLE

“Section 1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

“Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

“Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

CHAMP CLARK,
Speaker of the House of Representatives,
THOS. R. MARSHALL,
Vice President of the United States and
President of the Senate

I certify that this joint resolution originated in the Senate.

JAMES BAKER,
Secretary,

DEPARTMENT OF STATE.

Washington, December 28, 1917.

His excellency the Governor of the State of Kentucky, Frankfort:

SIR—I have the honor to enclose a certified copy of a resolution of Congress, entitled “Joint resolution proposing an amendment to the Constitution of the United States,” with the request that you cause the same to be submitted to the legislature of your State for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by section 205, Revised Statutes of the United States. (See overleaf)

An acknowledgment of the receipt of this communication is requested.

I have the honor to be, sir,

Your obedient servant,

ROBERT LANSING.

Section 205. Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorized to promulgate the laws, with his certificate, specifying the State by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.—Revised Statutes, 1878.

Mr. Claude M. Thomas moved that said official certification and communication be received and filed.

Said motion was agreed to.

Mr. A. R. Hudson, Representative-elect from the 45th legislative district, Louisville, Ky., appeared upon the floor of the House and took the oath required by the Constitution and law of the Commonwealth, which oath was administered to him by J. H. Henderson, Deputy Clerk of the Court of Appeals, and entered upon the discharge of his duties as Representative.

Mr. A. J. Oliver offered the following amendment to the joint resolution proposed by Mr. Claude M. Thomas by way of a substitute therefor, as follows, viz.:

JOINT RESOLUTION RATIFYING THE PROPOSED AMENDMENT TO
THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

Whereas, the sixty-fifth Congress of the United States of America, at the second session, begun and held at the city of Washington, on Monday, the third day of December, one thousand nine hundred and seventeen, did on the 18th day of December, one thousand nine hundred and seventeen, A. D., adopt a joint resolution proposing the following amendment to the Constitution of the United States, a copy of which signed by the Speaker of the House of Representatives and the Vice President of the United States, and duly certified to the Governor of this Commonwealth, and which is in words and figures as follows, to-wit:

Joint resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress Assembled (two-thirds of each house concurring therein):

That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

"ARTICLE

"Section 1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the foregoing and above recited amendment to the Constitution of the United States be, and the same is hereby, ratified by said General Assembly of the Commonwealth of Kentucky as a part of and amendment to the Constitution of the United States.

(2) That the Governor of the Commonwealth of Kentucky forthwith forward to the Secretary of State of the United States an authenticated copy of the foregoing joint resolution.

Mr. Claude M. Thomas offered the following amendments to the original joint resolution, viz.:

Amend by striking out "tion," in the word "Section," in paragraph two, under the heading, "Article."

Amend by striking out the termination "tion," in the word "Section," in paragraph three, under the heading, "Article."

Amend by striking out the word "by," after the word "provided," in article three, under the heading "Article," and insert the word "in" in lieu thereof.

Mr. Klair, rising to a point of order, indicated the hour of adjournment, namely, three o'clock p. m., stating that as the hour of adjournment had arrived the House was automatically adjourned, and asked that the point of order be sustained.

Mr. Speaker overruled said point of order.

Mr. Claude M. Thomas moved that the session of today be extended until the matter under consideration is disposed of.

Mr. Klair, rising to a point of order, indicated the hour of adjournment, namely, three o'clock p. m., and cited the rules of the House in support of his point.

Mr. Speaker again overruled said point of order.

The question then being taken on the motion made by Mr. Claude M. Thomas to extend the session until the matter under consideration is disposed of.

Said motion was agreed to.

Said amendment proposed by Mr. A. J. Oliver, by way of substitute therefor, to the original joint resolution offered by Mr. Claude M. Thomas was agreed to.

The yeas and nays being taken thereon were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. C. Davis	W. B. O'Bannon
Chas. Ashby	W. G. Dycus	A. J. Oliver
J. H. Ballard	F. A. Easterling	W. F. Paris
Robert Bays	I. H. Gabbard	Lilburn Phelps
B. C. Beckmann	J. S. Hall	Lewis Ryans
H. V. Bell	E. C. Hardin	Avery Sartin
W. P. Bowman	M. E. Lee	Joe Schneider
J. L. Bradford	J. E. Lilly	Claude B. Smith
R. J. Cain	Harry J. Meyers	T. J. Smith
John Cook	Ryland C. Musick	Thomas Spurrier
A. S. Cooper	A. J. McCandless	Ben Street
Fred Cornelius	W. P. McDonogh	Geo. F. Thompson
W. P. Cropper	H. C. McGehee	T. R. Welch
James S. Cruse	S. Lee McGohan	—41

Those who voted in the negative were—

W. J. Bailey	B. H. Harris	Richard Radcliffe
L. D. Baldauf	David J. Howard	H. C. Rice
W. T. Beckham	A. R. Hudson	R. T. Smith
Leroy Bonta	J. W. Johnson	John W. Swope
O. V. Brown	Leslie P. Jones	Claude M. Thomas
T. L. Caudel	Griffin Kelly	J. T. Thornton
Everett Cobb	H. A. Knollmann	S. G. Thornberry
H. L. Dixon	S. D. Laughlin	J. Wood Vance
Lark Garnett	Claude D. Minor	F. C. VanHoose
M. E. Gilbert	H. C. McLellen	Geo. C. Waggoner
W. H. Hager	T. P. Oliver	G. Frank Walthal
A. L. Hamilton	Luther Pieratt	E. G. Young
L. B. Hamilton	Ote Piper	—38

The question then being taken on the adoption of the original joint resolution as amended by way of substitute therefor, and the yeas and nays being called were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E. Gilbert	Lilburn Phelps
Chas. Ashby	W. H. Hager	Luther Pieratt
L. D. Baldauf	J. S. Hall	Ote Piper
J. H. Ballard	L. B. Hamilton	Richard Radcliffe
W. T. Beckham	E. C. Hardin	H. C. Rice
Leroy Bonta	B. H. Harris	Avery Sartin
W. P. Bowman	David J. Howard	Claude B. Smith
J. L. Bradford	A. R. Hudson	R. T. Smith
O. V. Brown	Leslie P. Jones	T. J. Smith
R. J. Cain	Griffin Kelly	Thomas Spurrier
T. L. Caudel	S. D. Laughlin	Ben Street
H. C. Chappell	M. E. Lee	John W. Swope
Everett Cobb	J. E. Lilly	Claude M. Thomas
John Cook	Claude D. Minor	Geo. F. Thompson
A. S. Cooper	Ryland C. Musick	S. G. Thornberry
Fred Cornelius	A. J. McCandless	J. Wood Vance
W. P. Cropper	H. C. McGehee	F. C. VanHoose
J. C. Davis	S. Lee McGohan	Geo. C. Waggoner
H. L. Dixon	H. C. McLellen	G. Frank Walthal
W. G. Dycus	W. B. O'Bannon	T. R. Welch
F. A. Easterling	A. J. Oliver	E. G. Young
I. H. Gabbard	T. P. Oliver	
Lark Garnett	W. F. Paris	

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Those who voted in the negative were—

B. C. Beckmann	J. W. Johnson	W. P. McDonogh
H. V. Bell	W. F. Klair	Joe Schneider
James S. Cruse	H. A. Knollmann	J. T. Thornton
A. L. Hamilton	Harry J. Meyers	

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And so said resolution, as amended by way of substitute therefor, was adopted.

Mr. A. J. Oliver moved that the vote by which said resolution, as amended by way of substitute therefor, was

adopted, be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

Mr. Claude M. Thomas, rising to a point of order, made the point that the last named motion carried with it the original resolution and amendment thereto, and, therefore, the said resolution and amendment were tabled.

Mr. Speaker overruled said point of order.

And then the House, in accordance with a joint resolution heretofore adopted by the Senate and concurred in by the House, adjourned until Wednesday next, at 1:30 p. m., January 16th, 1918.

WEDNESDAY, JANUARY 16, 1918.

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist church of Frankfort, Ky.

Reading of the Journal of Monday, January 14, 1918, on motion made by Mr. Phelps, was dispensed with, except that part of roll call on final adoption of national joint resolution affecting the vote of Arch L. Hamilton.

Mr. Arch L. Hamilton asked unanimous consent of the House to cast his vote on said resolution at this time.

Said request was granted by the House, and Mr. Arch L. Hamilton, when his name was called, voted no on said resolution.

After Mr. Arch L. Hamilton's vote was recorded, as aforesaid, the Journal was approved.

Indefinite leave of absence was granted Mr. B. S. Bailey by the House, by reason of illness.

Ordered, that the roll be called to ascertain the presence of a quorum, and said call resulted as follows, viz.:

Ed. L. Allen	W. H. Hager	A. J. Oliver
Chas. Ashby	J. S. Hall	T. P. Oliver
W. J. Bailey	A. L. Hamilton	W. F. Paris
L. D. Baldauf	L. B. Hamilton	Lilburn Phelps
J. H. Ballard	E. C. Hardin	Luther Pieratt
A. L. Baldwin	B. H. Harris	Ote Piper
Robert Bays	David J. Howard	H. C. Rice
W. T. Beckham	Joe Huddleston	Lewis Ryans
B. C. Beckmann	A. R. Hudson	Avery Sartin
H. V. Bell	Chas. L. Hunter	Joe Schneider
W. P. Bowman	J. W. Johnson	Claude B. Smith
J. L. Bradford	Leslie P. Jones	T. J. Smith
O. V. Brown	Griffin Kelly	Thomas Spurrier
R. J. Cain	W. F. Klair	Ben Street
T. L. Caudel	H. A. Knollmann	John W. Swope
Everett Cobb	W. T. Lasley	Claude M. Thomas
John Cook	S. D. Laughlin	Elmore Thomas
A. S. Cooper	M. F. Lee	John B. Thomas
Fred Cornelius	J. E. Lilly	Geo. F. Thompson
James S. Cruse	Harry J. Meyers	J. T. Thornton
J. C. Davis	Claude D. Minor	S. G. Thornberry
Harry Dill	Ryland C. Musick	J. Wood Vance
H. L. Dixon	A. J. McCandless	F. C. VanHoose
J. M. Elliston	H. C. McLellen	Geo. C. Waggoner
I. H. Gabbard	H. C. McGehee	G. Frank Walthal
Lark Garnett	S. Lee McGohan	T. R. Welch
M. E. Gilbert	W. B. O'Bannon	E. G. Young

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Mr. Klair moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Claude M. Thomas moved that the rules be suspended and the Committee on Rules be granted leave to report.

Said motion was agreed to.

Mr. W. B. O'Bannon, of the Committee on Rules, made the following report, viz.:

RULES OF THE HOUSE OF REPRESENTATIVES—SESSION 1918.

The Committee on Rules respectfully report to the House the accompanying rules for its government during the present session.

Quorum of the House.

Rule 1. Five members of the House shall constitute a quorum for the purpose of adjourning; fifteen members for the purpose of calling a House, of sending for absent members and of making an order for their censure and fine; a majority of the members may proceed to business, and the numbers mentioned in this rule shall have power, in the absence of the Speaker, to elect a Speaker pro tem. for the purposes above designated.

Hour of Meeting and Adjournment.

Rule 2. The standing hour of meeting each day shall be 10 o'clock a. m., standard time, and the standing adjournment shall be 1:30 o'clock p. m., except on Monday, when the hour of meeting shall be 1 o'clock p. m., and the hour of adjournment 3 p. m. Provided, however, that a majority of the House may elect to hold extra sessions at any time and extend the sitting of any session to any time within their discretion. The hour of meeting and adjourning of the body shall be governed by the House clock over the main entrance.

The Powers and Duties of the Speaker.

Rule 3. The Speaker shall take the chair every day at the hour to which the House adjourned on the preceding day; he shall immediately call the members to order, and, a quorum being present, shall cause the Journal of the preceding day to be read.

Rule 4. He shall preserve decorum and order and, in case of disturbance or disorderly conduct in the gallery or lobbies, may cause the same to be cleared. He shall have general control, except as provided by rule of law, of the hall of the House and of the corridors and passages, of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further ordered. He may speak to points of order in preference to other members, rising from the chair for that purpose. He shall decide questions of order, subject to an appeal to the House on request of any two members, and the members appealing shall reduce the appeal to writing.

The Speaker shall have supervision over the Clerks, Sergeant-at-Arms, Doorkeeper, Janitor, Pages, or other employes of the House, and shall direct them as to their duties; and upon failure of any such officials to perform their duties, the Speaker shall have power to impose a fine upon such offender, not to exceed the per diem of such official or employee for each offense. Such fine shall be entered upon the Journal and deducted from the compensation due such offender.

Rule 5. The standing committees of the House, herein named, shall be appointed by the Speaker.

Rule 6. The Speaker may state questions sitting, but shall rise to put a question.

Rule 7. Questions shall be distinctly put in this form, viz.: "Gentlemen, you who are of the opinion that (as the question may be) say 'aye;' you of the contrary opinion say 'nay.' "

Rule 8. If the Speaker be in doubt as to the result of a vote, or a division be called for, the House shall divide; those in the affirmative of the question shall rise from their seats, and, afterwards, those in the negative. If the Speaker be still in doubt, or a count be requested, the Speaker shall name two members, one from each side, to count those in the affirmative and the negative; which, being reported, he shall rise and state the decision of the House; provided, however, that such decision or count shall not be allowed after the House shall have proceeded to other business.

Rule 9. The Speaker shall have the right to name any member to perform the duties of the chair, but such Speaker pro tem shall not be empowered to act beyond a period of five days.

Rule 10. No person shall be permitted upon the floor of the House except the Governor, his Secretary, members of the Senate, such newspaper correspondents as may be authorized by the Speaker of the House, the Chief Executive of the United States, Judges of the Court of Appeals and of the Supreme Court of the United States and members of the Federal Congress, unless on special invitation of the House previously extended by vote of the House, and it shall be the duty of the Doorkeeper to exclude all persons not entitled to the floor of the House Chamber. If, however, other persons find their way to the floor, it shall be the duty of the Sergeant-at-Arms to remove them.

At least five minutes before the hour of convening each day the Sergeant-at-Arms shall clear the floor of the House Chamber of all persons not entitled to the floor and shall announce in a loud and distinct voice, "All persons not entitled to the floor of the House under the rules thereof will now vacate the House Chamber." He shall then compel each and every person then in the House Chamber, who is not entitled to remain therein, to vacate.

Debate.

Rule 11. When a member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker of the House as "Mr. Speaker," but shall not proceed until recognized by the Speaker.

Rule 12. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, through the Speaker, call the offender to order; and the member called to order shall immediately sit down unless permitted to explain, and the House, if appealed to, shall decide on the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if against him, and the case require it, he shall be liable to the censure of the House.

Rule 13. When two or more members rise at once, the Speaker shall name the member who is first to speak.

Rule 14. No member shall speak more than twice on the same question without leave of the House, and he shall not speak more than once until every member of the House choosing to speak has spoken. No member shall be allowed to speak longer than one hour in the aggregate.

Rule 15. While the Speaker is putting any question or addressing the House, no one shall walk about the House, or leave; neither, in such case, nor when a member is speaking, shall any one talk or pass between the chair and the member who is speaking.

Rule 16. No member shall in debate name another member.

Undebatable Motions.

Rule 17. Motions to proceed or dispense with the orders of the day, to dispense with any rule of the House, or take up business out of its regular order, to commit or recommit, except with instruction, shall be propounded without debate.

Rule 18. No explanation of any vote shall be permitted pending the call of the yeas and nays on an undebatable motion.

Withdrawal of Motions.

Rule 19. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed in the possession of the House, but may be withdrawn by consent of the House at any time before a decision or amendment.

Motions.

Rule 20. After a motion is made and seconded it shall be stated by the Speaker, or, being in writing, shall be handed to the chair and read aloud by the Clerk before debate.

Rule 21. Every motion shall be reduced to writing if the Speaker or any member desire it.

Order of Motions in Debate.

Rule 22. When a question is under debate no motion shall be received, but

1. To fix the time to which the House shall adjourn.
2. Adjourn.
3. To lie on the table.
4. For the previous question.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit or postpone indefinitely being decided, shall be again allowed on the same day and at the same stage of the bill or proposition.

Motion to Adjourn.

Rule 23. A motion to adjourn shall always be in order except during roll call or pending a motion to fix the time to which the House shall adjourn, and shall be decided without debate.

Previous Question.

Rule 24. The previous question being moved and seconded, the question from the chair shall be: "Shall the main question be now put?" If the nays prevail the main question shall not then be put. The effect of the previous question shall be to bring the House to a direct vote on amendments proposed by a committee, if any; then on other pending amendments (and all amendments which have been read for information of the House by the Clerk shall be regarded as pending amendments); and then upon the main question. The ordering of the previous question shall put an end to all debate, except as follows: Before the vote on an amendment, the proposer of the amendment shall have five minutes, and then the proposer of the measure sought to be amended shall have five minutes; and before the vote upon the main question, the opponents of the measure shall have ten minutes and then the proposer of the measure shall have ten minutes to close the debate. When a measure or an amendment has been proposed by a committee, then the time given to the proposer shall be at the disposal of the chairman of the committee.

Divisions on Questions.

Rule 25. Any member may call for a division on the question when the sense will admit it.

Commitment of Motions.

Rule 26. Motions and reports may be committed at the pleasure of the House. (See Rule 17, ante.)

Amendments.

Rule 27. No motions or propositions on a subject different from that under consideration shall be admitted under color of amendment.

Elections.

Rule 28. In all cases of elections there shall be a previous nomination before the House.

Petitions, Memorials, Etc.

Rule 29. Petitions, memorials and other papers, addressed to the House, may be presented by any member in his place; and in such case he shall briefly state the contents of said petitions, memorials and other papers, and which may be received, read and referred on the same day, by agreement of the House.

Call of Yeas and Nays.

Rule 30. Upon a call of the yeas and nays on any question, the names of the members shall be called alphabetically, which shall be made at any time when a division or a count may be had, and upon the completion of any roll call the Speaker shall, upon the request of any member, order the Clerk to call the absentees once.

Call of the House.

Rule 31. On a call of the House the door shall not be shut against a member until his name is called twice, and then absentees shall be noted by the Clerk and fined one dollar, unless excused by the House.

Voting.

Rule 32. No member shall vote on any question in which he is directly or indirectly interested, or on any question unless he was within the bar of the House before the result was announced.

Rule 33. Every member in the House when a question is put, or present before the result is announced, shall vote unless excused by the House; and all motions to excuse a member from voting shall be made before the House divides or before the call of the yeas and nays is commenced; and the motion or question to excuse a member shall be decided without debate, and in no event shall any member be excused from voting on a motion to excuse another member from voting. But this rule shall not apply to the Speaker, whose name shall not be called, except on his own request, and then only at the end of the roll call, and before the result is announced; but in all cases of a tie the Speaker shall vote.

Rule 34. Before a vote shall be counted, the member casting it shall be either at his seat or visibly approaching it.

Order of Business.

Rule 35. The order of business each day shall be as follows:

1. The reading of the Journal of the preceding day and the correction of any errors that may be found to exist therein.

2. Petitions.

3. Motions and resolutions, limited to one hour.

4. Reports of special and standing committees in the order as given in Rule 41.

5. The orders of the day, which shall be called at 12 o'clock each day.

6. Any business which did not belong to the orders of the day and which remains unfinished upon the adjournment of the House, or upon the call of the standing orders of the day, shall be the first business in order each day, upon the convening of the House. Any business which belongs to the standing orders of the day, which remains unfinished upon the adjournment of the House, shall be the first business when the orders of the day are resumed.

Introduction of Bills.

Rule 36. Subdivision 1. Once each day after the first order above named in Rule 35, there shall be a call of the counties and representative districts for the introduction of bills and joint resolutions, which shall be privileged and take precedence of all other business of the House; provided, that the orders of the day be called for precisely at 12 o'clock on each day; and, provided further, that upon the call of counties on the days provided for the presentation of bills, in the event every county shall not have been called, the Clerk shall, on the next day, commence the call where he left off at the last call.

On the call of each county and representative district the member from said county shall rise from his seat and addressing the chair send to the Clerk's desk any bill or bills or joint resolution which he wishes to introduce, with the title thereof indorsed in a plain and legible hand, which bill or joint resolution shall be read by its title, and, thereupon, the Speaker shall order the same to be printed and refer the same to its appropriate committee for consideration and report, and from such order of reference by the Speaker the member introducing the bill may appeal to the House if he so desires. All bills shall be printed and distributed in the order in which they are introduced, and the usual number of copies of the same shall be printed for the use of the members of the Senate and House.

Subdivision 2. Upon the report of a bill or joint resolution by any committee, the Clerk shall report the same in full, which shall be considered the first reading of the bill or joint resolution, and shall be so entered upon the Journal. Any standing or special committee may originate a bill and introduce the same, when it shall have its first reading and be ordered printed.

Subdivision 3. The Clerk shall keep a register of all bills introduced in the House, or transmitted for concurrence

from the Senate in which shall be recorded, under appropriate heads, the progress of such bills from the date of their introduction to the time of their transmission, if House bills, to the Governor, or if Senate bills, their return to the Senate.

Subdivision 4. When a bill has had its first reading it shall be placed by the Clerk in a calendar to be kept by him, and said calendar shall be separate from the bills in the orders of the day. Each day when the House enters into the consideration of the orders of the day, the Clerk shall take up the calendar and give all bills therein their second reading, except such as have been placed there upon that day.

Rule 37. When a bill has been read a second time it shall be placed in the orders of the day or recommitted, and when next reached in the House, it shall be ready for amendment, recommitment or debate, or to be read a third time and placed upon its passage. A bill may be recommitted at any time before its passage.

Rule 38. When a bill shall have been referred to any committee, it shall be the duty of the chairman of such committee to submit the bill to the consideration of his committee, and such committee shall make such amendments to said bill as it may deem proper, and report said bill to the House with such amendments. A majority of the members of a committee shall be present before a bill may be considered. No bill shall be considered or a report on same determined upon, except when the committee is in session. A committee in reporting a bill to the House shall make its report in writing, and such report shall be signed by a majority of such committee, but after said majority report has been made the minority may make its report, which shall also be in writing and signed by the members of the committee making such report. Bills shall not be engrossed except by order of the House; and the style of every bill shall be: "Be it enacted by the General Assembly of the Commonwealth of Kentucky." Provided, however, that no committee shall hold

or refuse to report a bill for an unreasonable time, and if same shall not be reported in a reasonable time, the said bill may be called up by any member of the House and be considered in the same manner it would have been considered if it had been reported without expression by such committee. The House shall at all times be the judge of what shall constitute a reasonable or unreasonable length of time under this provision.

Rule 39. When a bill passes, it shall be certified by the Clerk, who, at the foot thereof, shall note the day on which it passed.

Suspension of the Rules.

Rule 40. The standing rules of the House and the regular order of business shall not be suspended, amended or interrupted unless by a vote of a majority of the members present and voting.

Standing Committees.

Rule 41. The following shall be and constitute the standing committees of the House of Representatives, and each committee shall be composed of nine members, except the Committee on Rules, which shall consist of thirteen members besides the Speaker, and on Revenue and Taxation, which shall be composed of twelve members, and on Enrollment, which shall have five members.

Agriculture.

Alcoholic Liquor Traffic.

Appropriations.

Assignment of Committee Rooms.

Banks and Banking.

Compensation for Industrial Injuries.

Constitutional Amendments.

Corporate Institutions.

Commerce and Manufacturing.

Claims.
Classification of Cities and Towns.
Court of Appeals.
Circuit Courts.
County and City Courts.
Codes of Practice.
Criminal Law.
Charitable Institutions.
Cities of the Fourth Class.
Cities of the Fifth and Sixth Class.
Confederate Home.
Executive Affairs.
Education No. 1.
Education No. 2.
Enrollment.
Federal Relations.
Fish and Game.
Forestry.
Geological Survey.
Internal Improvements.
Immigration and Labor.
Insurance, Fire and Marine.
Insurance, Life and Accident.
Interurban and City Railways.
Judiciary.
Kentucky Statutes.
Juvenile Courts and Children's Home.
Military Affairs.
Mines and Mining.
Municipalities.
Normal Schools.
Printing.
Public Library.
Public Officers.
Public Health.

Public Roads and Highways.
Public Ditches and Fences.
Public Bridges.
Public Utilities.
Public Warehouses and Granaries.
Public Monuments and Historical Records.
Pure Food.
Racing Commission.
Railroads.
Revenue and Taxation.
Retrenchment and Reform.
Redistricting, Legislative.
Redistricting, Congressional.
Redistricting, Judicial.
State Capitol.
State Fair.
Suffrage and Elections.
Sinking Fund.
State Prison and House of Reform.
State University.
Tuberculosis.
Ways and Means.
Rules.

And it shall not be competent for the House by vote or otherwise to add any one to the membership of either of said committees; but a vacancy from any cause may be filled by appointment of the Speaker.

Rule 42. The Committee on Enrollment may report at any time when not excluded by a privileged motion; provided, that when any committee shall have occupied the morning hour on two days it shall not be in order for such committee to report further until the other committees are called. And provided, also, that no bill shall be reported by any committee which was introduced after said committee began to report,

Committee of the Whole.

Rule 43. It shall be the standing order of the day throughout the session for the House to resolve itself into a Committee of the Whole House on the State of the Commonwealth.

Rule 44. When a bill or other matter is committed to a committee of the Whole House the question of going into the Committee of the Whole shall be first in the order of the day.

Rule 45. In Committee of the Whole House, bills shall be read and debated by sections, leaving the preamble and the title to be the last considered.

Rule 46. All amendments made to an original House bill or resolution in Committee of the Whole House shall be incorporated in the original and so reported.

Rule 47. All questions, whether in the committee or in the House, shall be disposed of in the order in which they are moved, except that in filling blanks the largest sum and the most remote day shall be put first.

Rule 48. The rules of the House shall be observed in committee when applicable, except the rule limiting the time of speaking.

Fines.

Rules 49. All fines imposed on absentees shall be collected by the Sergeant-at-Arms and covered into the Treasury.

Clerk's Duty.

Rule 50. The Clerk or Assistant Clerk shall report all bills or resolutions to the Senate unless otherwise ordered by the House.

Rule 51. No member or other person shall remain by the Clerk's desk when the yeas and nays are being called.

Rule 52. All bills and joint resolutions originating in the Senate and reported to this House as passed therein, shall be read by their titles when the Speaker shall refer them to appropriate committees.

Duties of the Enrolling Clerk.

Rule 53. The Enrolling Clerk of the House shall each day call upon the Clerk and when not engaged in enrolling bills, shall perform such duties as he may direct, take charge of all House bills as soon as they are reported back to the House and ready to be enrolled; keep an accurate account of and carefully preserve all of them; cause them without delay to be plainly and legibly enrolled without blots, erasures or interlineations, and present the same when enrolled to the Committee on Enrollments, who shall immediately report them to the House for comparison and the signature of the Speaker; and when signed by the Speaker of the House, the Enrolling Clerk shall deliver them at once to the Senate or such committee as may be authorized to receive them in that body. All original House bills shall be returned by the Enrolling Clerk to the Clerk of the House at the time of signing of the enrolled bills, and the Clerk of the House shall carefully preserve them.

Doorkeeper and Sergeant-at-Arms.

Rule 54. The Chief Clerk or his assistant, the Doorkeeper, the Sergeant-at-Arms, and all employes under them shall be in the House thirty minutes before the hour for the House to convene; and five minutes before the hour for the meeting of the House each day, the Doorkeeper and Sergeant-at-Arms shall see that the floor of the House is cleared of all persons, except those privileged to remain. (See Rule 10.) And the Sergeant-at-Arms is empowered to deputize as many assistant Sergeant-at-Arms as he may deem necessary to carry out the order of the Speaker under Rule 4 of these rules.

Motion to Reconsider.

Rule 55. A motion to reconsider any action of the House shall be in order if made in open session for a period of three days, Sundays included from the time said vote was taken; but such motion shall not be in order after action has been had by the House in consequence of the decision proposed to be reconsidered, or after it has been sent to the Senate or Governor.

General Provisions.

Rule 56. On all questions not provided for in the foregoing rules, the House shall be governed by parliamentary law or usage; provided, the author of any measure shall have five minutes' time in which to explain upon a motion to lay on the table.

Rule 57. Whenever any committee shall report to the House a bill with the expression of opinion that it should not pass, said bill shall not be entitled to a reading unless it is ordered by a vote of the House; and upon the question whether or not said bill shall be read, the report of the committee to the contrary notwithstanding, no debate shall be allowed, except that the originator of the bill, or any one indicated by him, shall have ten minutes in which to explain the bill; and any one member of the committee who favors the report of the committee may have a like time in which to explain the action of the committee, and then if said bill shall be ordered to a reading, it shall be read the first time in full and recommitted or placed in the calendar.

Appropriations.

Rule 58. No bill or resolution appropriating money shall come up for final action in the House until it has been referred to and reported upon by the Committee on Appropriations.

Rule 59. During the last ten days of the session the Committee on Rules shall have the power at any time to call

from the orders of the day any bill or resolution, and propose the same to the House for consideration, and should the House decide by vote to consider it, it shall be submitted for passage. The committee shall be authorized to call from other committees any bill or resolution in their hands and have them advanced to the reading to which the bills may be entitled. Provided, however, that for the first eight days thereof the said committee shall in its discretion cause to be posted one day prior thereto a list of bills and resolutions which are to be called, but said committee may withdraw from said list any bills or resolutions so posted, but shall not be permitted to substitute any other bill or resolution therefor.

Rule 60. If any bill, motion or resolution has been, by vote, carried or lost, and a motion is made to reconsider the vote by which the bill, motion or resolution was carried or lost, and said motion to reconsider is laid upon the table, then no further motion shall be entertained relative to said bill, motion or resolution, unless by the unanimous consent of the House.

Rule 61. All pairs announced in the House shall be entered on the Journal.

Rule 62. When the roll is being called on any proposition and the hour of adjournment arrives, the time for adjournment shall be extended until said roll call has been completed and the result announced.

Rule 63. Five hundred copies of these rules shall be immediately printed for the use of the General Assembly.

Robert T. Crowe, Speaker and ex-Officio Chairman.

Wm. F. Klair,

Wm. P. McDonogh,

B. S. Street,

S. Lee McGohan,

Walter G. Dycus,

M. E. Lee,

W. B. O'Bannon,

Harry J. Meyers,

T. R. Welch,

S. D. Laughlin,

E. C. Hardin,

Claude M. Thomas.

Mr. Lee moved that the report of the Committee on Rules be adopted.

Said motion was agreed to.

Said report was adopted.

Mr. Phelps moved that the rules of the House be printed together with the standing committees of the House.

Said motion was agreed to.

Mr. Thornberry offered the following resolution, viz.:

RESOLUTION ENDORSING PRESIDENT WILSON'S WAR POLICY.

Whereas, one of the greatest conflicts that has ever been waged since the history of mankind began is being waged to-day, and

Whereas, this war which was begun to uphold and maintain the dignity and prestige of a monarchy, has now developed into a war for world-wide democracy, and

Whereas, our own great nation has entered upon a prosecution of this world war, which has for its object the assurance of the peoples of the earth of their inherent right to govern themselves through their chosen representatives, and,

Whereas, when the nation is at war Kentucky is at war, therefore,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

First: That we heartily and unreservedly endorse our noble and patriotic President, Woodrow Wilson, and his administration, in the conduct of this war for humanity, liberty and our own national honor and self-respect.

Second: That we assure the President that every true Kentuckian realizes the justice of our nation in entering the present conflict to overthrow subjugation, oppression and

autocracy and establish in their stead freedom, equality and Democracy.

Third: That we and the people of Kentucky are not insensible of the fact that a grave measure of responsibility rests upon us because we have within our State an army cantonment, where our soldier boys are trained for the world's battlefields, and we pledge our fullest moral support and co-operation in establishing such conditions as will secure a maximum of efficiency in our soldiers, that this gigantic struggle for world democracy may be won as speedily as possible.

Fourth: That we are filled with admiration and respect for the brave fellows who have given up homes and the association of loved ones, and have taken up arms at their country's call, and we ask every citizen of the Commonwealth to make a ready and willing response to our nation's call for economy and the conservation of our resources.

Fifth: That a copy of this resolution be spread on the Journal of the House, and that a copy be forwarded to the President of the United States.

Mr. Thornberry moved that said resolution be adopted.

Said motion was agreed to.

Said resolution was adopted.

Mr. Rice offered the following communication, viz.:

To the members and officers of the Kentucky House of Representatives, 1918:

GENTLEMEN—Frankfort Lodge, No. 530, of the Benevolent and Protective Order of Elks extends to you the privilege and use of its club rooms for the purpose of conference and committee meetings during the current session of the General Assembly, at any and all times, with the one exception

of the evening of Tuesday, February 6th, which is the fixed date for the initiation of a class of twenty applicants. On this occasion all visiting Elks are most cordially invited to be present.

By order of Frankfort Lodge, 530, B. P. O. E.

By HIRAM WILLIAMS, *Secretary*

Mr. Rice moved that said invitation be accepted and that this House extend its thanks for same.

Said motion was agreed to.

Mr. Arch L. Hamilton offered the following resolution:

Resolved, that the Sergeant-at-Arms of the House be instructed to secure the largest size Red Cross flag and a suitable number of Red Cross stars, and each member is requested to become a member of the National Red Cross Society and place his star on the large Red Cross flag. The Sergeant-at-Arms is then directed to place the Red Cross Flag in the most suitable location in the House Chamber.

Mr. A. L. Hamilton moved that said resolution be adopted.

Said motion was agreed to.

Said resolution was adopted.

Mr. H. C. Chappell offered the following resolution:

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That a special committee consisting of two members of this House, one a Democrat and one a Republican, shall be selected by the caucus Chairman of each party for the pur-

pose of preparing a bill to divide Kentucky into one hundred Representative districts in accordance and in compliance with the Constitution of Kentucky.

The committee of two so selected shall report a bill to the House of Representatives not later than the 25th day of January, 1918.

Mr. Klair moved that said resolution be referred to the Committee on Suffrage and Elections.

Said motion was agreed to.

Mr. Klair offered the following resolution, viz.:

Resolution upon the death of Charles A. Byrnes.

Whereas, we have learned with deepest regret of the untimely death of Charles A. Byrnes, the father of Mrs. Murphy, wife of Hon. John T. Murphy, Representative from the 80th Legislative District; and,

Whereas, Mr. Byrnes was well known and highly esteemed for his uniform courtsey, kindness and attentiveness toward the members of this House and others traveling upon the Southern railway into Cincinnati; now, therefore,

Be it resolved by the House of Representatives, That we extend to his bereaved widow, daughter, son-in-law, Hon. John T. Murphy, our profoundest sympathy in their loss, and that a copy of this resolution be sent to each of them.

Said resolution was adopted.

A message was received from the Senate announcing that they had concurred in a joint resolution, which originated in the House, of the following title, viz.:

H. Res. 2. Joint Resolution ratifying the proposed amendment to the Constitution of the United States of America.

Mr. Phelps offered the following resolution, viz.:

Whereas, before making appropriations for charitable institutions and for agricultural and educational purposes it is important to take a comprehensive survey of the existing annual appropriations and of recent special appropriations for said purposes, therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky, that the Auditor of Public Accounts be, and he is hereby, requested to tabulate and furnish to this House as soon as may be the following information:

First, the standing or annual appropriations for the following purposes and institutions:

AGRICULTURE.

Agricultural Bureau; State Board of Agriculture; State Fair; Board of Forestry.

EDUCATIONAL.

University of Kentucky; Agricultural Experiment Station; State Board of Health; Tuberculosis Commission; On Account of San Jose Scale; Geological Survey, Western Kentucky State Normal School; Eastern Kentucky State Normal School; Kentucky Normal and Industrial Institute (colored); Kentucky Library Commission; Kentucky School for Deaf and Dumb (including per capita); Kentucky Institution for Blind (including per capita).

CHARITABLE INSTITUTIONS.

Eastern State Hospital; Western State Hospital; Home for Incurables; Kentucky Home Society for Colored Children; Kentucky Children's Home Society.

MISCELLANEOUS.

Public Roads Department; State Historical Society: State Capitol Maintenance; Frankfort Cemetery.

Second, he will tabulate and furnish to this House the special appropriations granted to each of said institutions and for each of said purposes (a) by the General Assembly of 1914 and (b) by the General Assembly of 1916.

Mr. Phelps moved that said resolution be adopted

Said motion was agreed to.

Said resolution was adopted.

Mr. R. T. Smith offered the following resolution, viz.:

Resolved, that the thanks and commendation are due and extended to the Speaker for the courteous consideration shown the minority members of this General Assembly in making up the committees of this House.

Mr. R. T. Smith moved that said resolution be adopted.

Mr. Speaker Crow designated Mr. Claude M. Thomas to preside as Speaker to put the question of the adoption of said resolution, and named Mr. Geo. C. Waggoner as a committee to escort Mr. Thomas to the Chair.

Mr. Speaker Crowe vacated the Chair.

Mr. Claude M. Thomas presided as Speaker pro tem., and put the question on the motion to adopt said resolution. The vote was taken by a rising vote, and was unanimous

Said motion was agreed to.

Said resolution was adopted.

Mr. Claude M. Thomas offered the following resolution:

Whereas, Augustus P. Gardner, soldier, statesman and patriot, in all the acts of his splendid life an ideal American, on the afternoon of January 14th passed away, while in the service of his country, at Camp Wheeler, Macon, Ga., now,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky, that the membership of this body hereby expresses profound sorrow on learning of the loss of this great leader of opinion and of men, and unites with all true Americans in tribute to his gallantry, and to the inspiration afforded by his ideals to the young manhood of the country he so loved that in her defense he yielded up his life.

Resolved, further, that expression of our sympathy and sorrow be, and the same is hereby, extended to the widow and family of Major Gardner, and that a copy of these resolutions, properly certified by the Clerk of the House, be forwarded to his family at Hamilton, Massachusetts.

Said resolution was adopted.

Mr. Waggoner asked the unanimous consent of the House to introduce a bill in lieu of a joint resolution offered by himself, and unanimous consent was refused.

Mr. Speaker announced that all bills could and should be introduced upon the call of counties.

Ordered, that the counties be called for the introduction of bills.

Upon a call of the counties the following bills were introduced, ordered printed and referred as follows, viz.:

The county of Adair was called, and the gentleman from Adair yielded to the gentleman from Garrard.

Mr. Speaker ruled that the counties and districts be called in alphabetical order and bills be introduced in order in accordance with such call.

By Mr. A. J. Oliver:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the Acts of the Extraordinary Session of 1917, relating to the expenses and employes of the State Tax Commission.

To the Committee on Revenue and Taxation.

By same:

H. B. 2. An act to amend and re-enact sections 4046 and 4052, Kentucky Statutes, edition 1915, relating to the assessment of property for taxation.

To the Committee on Revenue and Taxation.

By Mr. Vance:

H. B. 3. An act to regulate the shipment of liquors into local option territory, and prohibiting any person from receiving in excess of a certain quantity, within a certain time, of such liquors in said territory and prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

To the Committee on Alcoholic Liquor Traffic.

By same:

H. B. 4. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting, after June 30, 1920, the manufacture, sale or transportation of spirituous, vious, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof, and a way by which it shall be submitted to the people for their approval or rejection.

To the Committee on Constitutional Amendments.

By same:

H. B. 5. An act relating to cities of the fifth class, chapter 89, Ky. Statutes, and providing for the publication of the ordinances thereof and the advertising of such matters as are required to be made by such cities, and fixing a rate to be charged therefor by newspapers.

To the Committee on Cities of the 5th and 6th class.

By Mr. B. H. Harris:

H. B. 6. An act to amend section 1904, chapter 53, of the Kentucky Statutes, relating to fish.

To the Committee on Fish and Game.

By same:

H. B. 7. An act to amend section 2260, chapter 74, of the Kentucky Statutes, relating to juries.

To the Committee on Circuit Courts.

By same:

H. B. 8. An act to amend section 1541, chapter 41, of the Kentucky Statutes, relating to elections.

To the Committee on Suffrage and Elections.

By same:

H. B. 9. An act to amend sub-section 12, section 3290, chapter 89, of the Kentucky Statutes, relating to the government of third class cities.

To the Committee on Municipalities.

By Mr. Minor:

H. B. 10. An act amending section 612a, Carroll's Kentucky Statutes, relating to combined bank and trust companies; providing the manner in which combined bank and trust companies may be organized; fixing the amount and providing how the capital of combined bank and trust companies shall be used or employed.

To the Committee on Banks and Banking.

By same:

S. B. 11. An act to amend an act entitled "An act for the better enforcement of an act approved March 10, 1894, entitled 'An act whereby the sense of the people of any county, city, town, district or precinct may be taken as to whether spirituous, vinous or malt liquors shall be sold, bartered or loaned therein, and to amend section 4 of said act,' " and approved March 11, 1902; amending and re-enacting sub-section 2 and repealing sub-section 3 of section 2557b, Carroll's Kentucky Statutes, 1915 edition.

To the Committee on Alcoholic Liquor Traffic.

By same:

H. B. 12. An act fixing the jurisdiction of county courts, justices' courts and police courts in criminal cases.

To the Committee on County and City Courts.

By Mr. Musick:

H. B. 13. An act providing for three trustees for each of the common school sub-districts in this Commonwealth and prescribing the duties thereof.

To the Committee on Education No. 1.

By same:

H. B. 14. An act to amend and re-enact sub-section 2, section 68a, Kentucky Statutes, Carroll's edition, 1915, relating to a license tax on dogs; when due, when and how collectable and the keeping of a separate account thereof; fixing the duties of the owners of dogs, the sheriffs and assessors of the respective counties thereto, and fixing the penalties for failure thereof and declaring certain dogs exempt.

To the Committee on Revenue and Taxation.

By same:

H. B. 15. An act to regulate the running at large of cattle, sheep, horses, hogs, ducks, geese, chickens and other species of live stock and poultry within the cities and towns of this Commonwealth and providing for the enforcement thereof.

To the Committee on Kentucky Statutes.

By Mr. T. P. Oliver:

H. B. 16. An act relating to elections, and providing means of special registration for officers and employes of the Commonwealth or of the United States.

To the Committee on Suffrage and Elections.

By Mr. Thornton:

H. B. 17. An act to amend an act, entitled "An act for government of cities of the second class," by adding to subsection 20 of section 3058, Ky. Statutes, which is part of above designated act, approved March 19, 1894.

To the Committee on Municipalities.

By same:

H. B. 18. An act providing that eight hours shall constitute and be a day in all contracts for labor and service in the Commonwealth of Kentucky.

To the Committee on Immigration and Labor.

By Mr. Phelps:

H. B. 19. An act to amend an act for the protection of game birds and game animals, fixing open and closed seasons and providing penalties for violation, which was approved March 22, 1916, being chapter 31, Acts 1916, of the General Assembly of Kentucky.

To the Committee on Fish and Game.

By same:

H. B. 20. An act to divide Kentucky into one hundred legislative districts.

To the Committee on Redistricting, Legislative

By Mr. Klair:

H. B. 21. An act to further amend and re-enact section 3194 of the Kentucky Statutes relating to sinking funds in cities of the second class.

To the Committee on Municipalities.

By same:

H. B. 22. An act to repeal and re-enact section 1, chapter 39, of the Acts of 1916, amending chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony and misdemeanor.

To the Committee on Circuit Courts.

By same:

H. B. 23. An act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class, in which there is located circuit courts of continuous session, prescribing the method of appointment and removal, the duties, powers and salary and the method of payment of such officer.

To the Committee on Municipalities.

By same:

H. B. 24. An act relating to charitable institutions, and providing and appropriating an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble-Minded Children, and fixing the amount of per capita

to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

By same:

H. B. 25. An act to amend an act of the General Assembly of the Commonwealth of Kentucky, approved March 12, 1912, and being section 4021a Kentucky Statutes (Carroll) entitled "An act limiting the time in which the enforcement of tax titles and tax liens may be effected;" and to provide a limit of time in which tax liens may be enforced, and possession of, or title to, property sold for taxes may be recovered, and in which actions for the quieting of title to lands sold for taxes and the cancellation of tax deeds may be maintained.

To the Committee on Revenue and Taxation.

By Mr. Arch L. Hamilton:

H. B. 26. An act to amend sub-section 7 of section 1019a of the act approved March 29, 1902, entitled "An act to provide for stenographic reporters for courts of continuous session."

To the Committee on Circuit Courts.

By same:

H. B. 27. An act enabling the circuit courts of this Commonwealth to provide for the taking of depositions before the master commissioner of the court, or before a commissioner to be appointed by the court, in any equitable action or proceeding now pending or hereafter instituted in any such court, and authorizing such commissioner to hear and determine all questions relative to the introduction and competency of the

evidence and to report upon the questions of law and fact made by the pleadings or contained in the order of reference entered by the court in such action or proceeding, and providing for a reasonable allowance to such commissioner for his services.

To the Committee on Circuit Courts.

By same:

H. B. 28. An act to amend sub-section 2 of section 552 of the Civil Code of Practice (Carroll's 1913 edition) concerning the taking of proof in equitable and ordinary actions, and providing for the taking of oral testimony in equitable actions and proceedings before the court.

To the Committee on Codes of Practice.

By Mr. Allen:

H. B. 29. An act to amend section 2251, Kentucky Statutes, Carroll's edition, providing for compensation of grand jurors.

To the Committee on Circuit Courts.

By same:

H. B. 30. An act to amend 2260 of the Kentucky Statutes, Carroll's edition, providing for the pay of jurors, and re-enacting the same.

To the Committee on Circuit Courts.

By same:

H. B. 31. An act to pay jurors summoned but not sworn.

To the Committee on Circuit Courts.

By Mr. L. B. Hamilton:

H. B. 32. An act to amend and re-enact secs. 3374 and 3379 of Kentucky Statutes, Carroll's edition, 1915.

To the Committee on Kentucky Statutes.

By Mr. Piper:

H. B. 33. An act to amend, repeal and re-enact section 5 of chapter 31 of the Acts of the General Assembly of 1916, which is "An act for the protection of game birds and game animals; fixing open and closed seasons and providing penalties for violation," approved March 23, 1916.

To the Committee on Fish and Game.

By Mr. Ballard:

H. B. 34. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky, prohibiting after June 30, 1920, the manufacture, sale and transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof.

To the Committee on Constitutional Amendments.

By Mr. Spurrier:

H. B. 35. An act to amend and re-enact section 19 of chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, relating to the appointment and number of county supervisors.

To the Committee on Revenue and Taxation.

By same:

H. B. 36. An act to amend and re-enact section 4070, Kentucky Statutes, edition 1915, relating to the compensation of county assessors or other officers whose duty is to assess property for taxation.

To the Committee on Revenue and Taxation.

By same:

H. B. 37. An act dividing Kentucky into thirty-eight Senatorial districts.

To the Committee on Redistricting, Legislative.

By same:

H. B. 38. An act dividing Kentucky into one hundred Legislative districts.

To the Committee on Redistricting, Legislative.

By same:

H. B. 39. An act relating to the payment of poll tax where the taxpayer assesses no property subject to taxation.

To the Committee on Revenue and Taxation.

By same:

H. B. 40. An act to amend and re-enact section 4039 of Kentucky Statutes, edition 1915, relating to the assessment of real estate or other property, owned by non-residents of

the State, or of the county in which such real estate, or interest therein, or other property, is located, and providing a penalty for a failure to assess such property as herein provided.

To the Committee on Revenue and Taxation.

By Mr. Cooper:

H. B. 41. An act providing for the payment of grand jurors who are prohibited from serving as such who are summoned and who are ineligible to serve.

To the Committee on Circuit Courts.

By Mr. Lee:

H. B. 42. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto, and providing for an annual census of illiterate adult men and women of meager education in this State.

To the Committee on Appropriations.

Mr. Rice moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, JANUARY 17, 1918.

The House was opened with prayer by the Rev. Roger T. Nooe, pastor of the Christian Church, of Frankfort, Ky.

Ordered, that the roll be called to ascertain the presence of a quorum, which call resulted as follows, viz.:

Ed. L. Allen	J. S. Hall	T. P. Oliver
Chas. Ashby	A. L. Hamilton	W. F. Paris
W. J. Bailey	L. B. Hamilton	Lilburn Phelps
L. D. Baldauf	E. C. Hardin	Luther Pieratt
J. H. Ballard	B. H. Harris	Ote Piper
Robert Bays	David J. Howard	Richard Radcliffe
B. C. Beckmann	Joe Huddleston	H. C. Rice
H. V. Bell	A. R. Hudson	Lewis Ryans
Leroy Bonta	Chas. L. Hunter	Avery Sartin
W. P. Bowman	J. W. Johnson	Joe Schneider
O. V. Brown	Leslie P. Jones	Claude B. Smith
R. J. Cain	Griffin Kelly	R. T. Smith
T. L. Caudel	H. A. Knollmann	T. J. Smith
H. C. Chappell	W. T. Lasley	Thomas Spurrier
Everett Cobb	S. D. Laughlin	Ben Street
John Cook	M. E. Lee	John W. Swope
A. S. Cooper	J. E. Lilly	Claude M. Thomas
Fred Cornelius	Harry J. Meyers	Elmore Thomas
W. P. Cropper	Claude D. Minor	John B. Thomas
James S. Cruse	S. H. Moore	J. T. Thornton
H. L. Dixon	Ryland C. Musick	S. G. Thornberry
W. G. Dycus	A. J. McCandless	F. C. VanHoose
F. A. Easterling	W. P. McDonogh	Geo. C. Waggoner
J. M. Elliston	H. C. McGehee	G. Frank Walthal
Lark Garnett	S. Lee McGohan	T. R. Welch
M. E. Gilbert	H. C. McLellen	E. G. Young
W. H. Hager	W. B. O'Bannon	

On motion of Mr. Lee the reading of the Journal of yesterday was dispensed with and Journal approved.

Mr. Rice moved that the Speaker designate and appoint some person to assist the Chief Clerk in the performance of his duties in the place and stead of Oscar Wicker, Assistant Clerk, said person so designated and appointed to draw the same per diem as that allowed to the Assistant Clerk, the said appointment to be in effect until the return of Mr. Wicker.

Said motion was agreed to.

Mr. Hardin moved that the Janitor elected by this House be designated as Bill Clerk of the House and that his duties shall be to receive all printed bills when delivered from the printer, said bills to be kept by him on file in numerical order throughout this session of the House.

Said motion was agreed to.

Mr. Speaker Crowe announced that there has been received by the Chief Clerk of this House and filed by him, notice of contest and papers relative thereto in the following cases, viz.:

From the Legislative District composed of the county of Trigg:

A. F. Hanberry, contestant vs. G. Frank Walthal, contestee.

S. F. Day, contestant, vs. Edward L. Allen, contestee, from the Legislative District composed of the counties of Floyd, Knott and Letcher.

The notice of contest and papers relative thereto in A. F. Hanberry, contestant vs. G. Frank Walthal, contestee, are as follows, viz.:

IN THE HOUSE OF REPRESENTATIVES
GENERAL ASSEMBLY OF KENTUCKY
1918 SESSION.

A. F. Hanberry Contestant

vs Motion.

G. Frank Walthal Contestee.

Comes the contestant, A. F. Hanberry, and moves this Honorable Committee for an order directing the clerk of the Trigg county court to produce to this Committee for hearing upon this contest, the ballot boxes complete with the original ballots, envelopes and everything therewith connected used at the general election November, 1917, at which election the contestant and contestee herein were voted for for the office of Representative from the county of Trigg, as follows:

In Linton voting precinct; in Montgomery voting precinct; in Cerulean voting precinct; and in Bethesda voting precinct, all of Trigg county, Kentucky.

T. B. MCGREGOR.

Attorney for Contestant.

HOUSE OF REPRESENTATIVES
GENERAL ASSEMBLY OF KENTUCKY
SESSION OF 1918.

A. F. Hanberry Contestant

vs. Order.

G. Frank Walthal Contestee

To the Honorable Clerk of the Trigg County Court, Cadiz, Kentucky:

You are hereby directed and ordered to bring and produce to this Committee the original ballot boxes, containing all ballots, envelopes and other paraphernalia connected with same used in the general November 1917 election wherein the

contestant, A. F. Hanberry, and the contestee, G. Frank Walthal, were candidates and were voted for by the electors of Trigg county for the office of Representative from Trigg county in the following voting precincts: Linton voting precinct; Montgomery voting precinct; Cerulean voting precinct; and Bethesda voting precinct, in Trigg county.

Chairman Contest Committee

A. F. Hanberry Contestant

Against Notice and Grounds of Contest.

G. Frank Walthal Contestee

The contestant, A. F. Hanberry, states that he is more than thirty years old, and is a citizen and resident of Trigg county, Kentucky, and a legal voter, living and residing in Bethesda voting precinct, in Trigg county, Kentucky, and has been a resident, citizen and legal voter in said precinct, county and State continuously next preceding the date of this notice for more than twenty-five years and is eligible and legally qualified to hold the office of Representative in the General Assembly of Kentucky, from the Eighth Legislative district of said State, which is composed of the county of Trigg, in said State. He states that he is a Republican in his principles and political beliefs and supported the candidates of that political party at the November general election in 1916. He states that more than thirty days before the primary election, held in the county of Trigg, on the first Saturday in August, 1917, he filed his notification and declaration as a candidate for the Republican nomination for Representative in the General Assembly of Kentucky with the county court clerk of Trigg county as required by law; that he did not have any opposition for said nomination and was duly declared the nominee of said Republican party for said office by operation of law and that a certificate of such nomination was duly is-

sued to him by the clerk of the Trigg county court; that he made the report of expenses required of him by the act of the Kentucky Legislature of 1916, known as the "Corrupt Practice Act;" that more than fifteen days prior to the general election held in said county and State on the 6th day of November, 1917, he filed his said certificate of nomination as the candidate of the said Republican party with the county court clerk of Trigg county for the said office of Representative in the General Assembly of Kentucky from said Legislative district and that his name was printed on the official ballots under the Republican device, which ballots were used in the said election in Trigg county; and that he has made the reports required by the said "Corrupt Practice Act" of the Kentucky Legislature of 1916.

The contestant, A. F. Hanberry, says that the contestee, G. Frank Walthal, was also a candidate for said office at the November election, 1917, and the Board of Election Commissioners of Trigg county canvassed the returns from the several voting precincts of Trigg county on Friday, the 9th day of November, 1917, and gave contestee, G. Frank Walthal, a certificate of election to said office, finding that said G. Frank Walthal had received thirteen more votes for said office than the contestant, but says that said finding was inaccurate and untrue.

The contestant, A. F. Hanberry, says that the said G. Frank Walthal did not receive a majority, or a plurality of the votes cast in the race for Representative by the voters of Trigg county, but says that this contestant, A. F. Hanberry, did receive a majority of all the legal votes cast in said race for representative. He says that the contestee, G. Frank Walthal, only received 1,256 legal votes for said office, while the contestant, A. F. Hanberry, received 1,325 legal votes for said office. The contestant, A. F. Hanberry, says that he was elected Representative in the General Assembly of Kentucky from the Eighth Legislative district, composed of Trigg

county, and that the contestee, G. Frank Walthal, was not elected to said office.

The contestant, A. F. Hanberry, states that the officers of the election at the November election, 1917, in Bethesda voting precinct, in Trigg county, either through error, oversight or mistake, counted and returned as voting for the contestee, G. Frank Walthal, three ballots which were in fact voted for this contestant, A. F. Hanberry, and that a recount of the ballots in said voting precinct will show that the contestant, A. F. Hanberry, received in fact thirty votes in said precinct and not twenty-seven, as shown by the returns of said election officers, and that the contestee, G. Frank Walthal, only received in said precinct fifty votes instead of fifty-three votes, as returned by the election officers in said precinct; that the following illegal voters voted in said Bethesda voting precinct for the contestee, G. Frank Walthal, who had not lived in said precinct neither 60 days, 6 months nor one year not preceding said election, to-wit:

The contestant, A. F. Hanberry, states that the officers of the election at the November election, 1917, in Cerulean Springs voting precinct, in Trigg county, either through error, oversight or mistake, counted and returned as voting for the contestee, G. Frank Walthal, seven ballots which were in fact voted for this contestant, A. F. Hanberry, and that a recount of the ballots cast in said voting precinct at said election will show that the contestant, A. F. Hanberry, received in fact ninety-eight votes in said precinct and not ninety-one, as shown by the returns of said election officer, and that the contestee, G. Frank Walthal, only received in said voting precinct at said election one hundred and twenty-five votes and not one hundred and thirty-two, as returned by the election officers in said precinct; that the following illegal voters voted at said Cerulean Springs voting precinct for the contestee, G. Frank Walthal, who had not lived in said voting precinct either 60 days, six months nor one year immediately preceding said election, to-wit.:

The contestant, A. F. Hanberry, states that the officers of election at the November election, 1917, in Montgomery voting precinct, in Trigg county, either through error, oversight or mistake, counted and returned as voting for the contestee, G. Frank Walthal, five ballots which were in fact voted for this contestant, A. F. Hanberry, and that a recount of the ballots cast in said voting precinct at said election will show that the contestant, A. F. Hanberry, in fact received seventy-four votes in said precinct and not sixty-nine, as shown by the returns of said election officers, and that the contestee, G. Frank Walthal, only received sixty-two votes, in said voting precinct and not sixty-seven, as returned by the election officers in said precinct; that the following illegal voters voted at said Montgomery precinct for the contestee, G. Frank Walthal, who had not lived in said voting precinct either 60 days, 6 months nor one year next immediately preceding said election, to-wit.:

The contestant, . F. Hanberry, states that the officers of election at the November, 1917, election, in the Maggie voting precinct of Trigg county, Kentucky, either through error, oversight or mistake, counted and returned as voting for the contestee, G. Frank Walthal, two ballots which were in fact voted for this contestant, A. F. Hanberry, and that a recount of the ballots cast in said voting precinct at said election will show that the contestant, A. F. Hanberry, received in fact thirty-six votes in said precinct instead of thirty-four, as returned by the officers of said election at said precinct, and that the contestee, G. Frank Walthal, only received in said voting precinct thirty-eight votes and not forty votes, as returned by said officers of the election at said precinct.

The contestant, A. F. Hanberry, states that the officers of election at the November election, 1917, in the Linton voting precinct, in Trigg county, either through error, oversight or mistake, counted and returned as voting for the contestee, G. Frank Walthal, thirteen ballots which were in fact voted

for the contestant, A. F. Hanberry, and that a recount of the ballots cast in said voting precinct at said election will show that the contestant, A. F. Hanberry, received ninety votes instead of seventy-seven, as returned by said election officers, and that the contestee, G. Frank Walthal, only received in said voting precinct sixty-one votes and not seventy-four, as returned by said officers of the election at said voting precinct.

The contestant, A. F. Hanberry, states that the officers of the election at the November election, 1917, in the Canton voting precinct, in Trigg county, Kentucky, either through error, oversight or mistake, counted and returned as voting for the contestee, G. Frank Walthal, six ballots which were in fact voted for the contestant, A. F. Hanberry, and that a recount of the votes in said voting precinct will show that the contestant, A. F. Hanberry, received in fact sixty-seven votes in said precinct instead of sixty-one, as returned by the election officers in said precinct, and that the contestee, G. Frank Walthal, only received in said voting precinct one hundred and nineteen votes, and not one hundred and twenty-five, as returned by said officers of the election; that the following illegal voters voted at said Canton voting precinct for the contestee, G. Frank Walthal, who had not lived in said voting precinct either 60 days, six months nor one year, to-wit:

The contestant, A. F. Hanberry, states that the election officers in West Cadiz voting precinct, in Trigg county, at the election in November, 1917, either through error, oversight or mistake, counted and returned as voting for the contestee, G. Frank Walthal, four ballots which were in fact voted for the contestant, A. F. Hanberry, and that a recount of the ballots cast in said voting precinct at said election will show that the contestant, A. F. Hanberry, received in fact sixty-two votes in said precinct instead of fifty-eight votes, as returned by the election officers, and that the contestee, G. Frank Wal-

thal, only received in said voting precinct one hundred and four votes and not one hundred and eight, as returned by said election officers at said precinct; that the following illegal voters voted at said West Cadiz voting precinct for the contestee, G. Frank Walthal, who had not lived in said voting precinct 60 days, nor in Trigg county six months, nor in the State of Kentucky one year next immediately preceding the day of said election, to-wit:

The contestant, A. F. Hanberry, states that there was returned by the election officers of the Ferguson Spring voting precinct, among others, one questioned ballot, which was voted for the contestant, A. F. Hanberry, and which was not counted for him by the officers of said election and which the Board of Election Commissioners of Trigg county refused to count for the contestant, which should be counted for him.

The contestant, A. F. Hanberry, states that in South Cadiz voting precinct of Trigg county the following illegal voters voted in said election at said election precinct for the contestee, G. Frank Walthal, who had not lived in said precinct 60 days, not in Trigg county six months, nor in the State of Kentucky one year next immediately preceding the date of said election, to-wit:

The contestant, A. F. Hanberry, states that in North Cadiz voting precinct, in Trigg county, the following illegal voters voted in said election at said precinct and for the contestee, G. Frank Walthal, who were not entitled to vote and who had not lived in said precinct 60 days, nor in Trigg county six months, nor in the State of Kentucky one year next preceding the date of said election, to-wit:

And that one Herman Roach, in said North Cadiz voting precinct voted an open, exposed ballot for contestee, G. Frank Walthal, without first making oath of his inability to properly mark his ballot, and said ballot was deposited in the ballot box in said voting precinct and counted for the contestee, G. Frank Walthal, when same was void, and that the contestee,

G. Frank Walthal, in fact only received in said North Cadiz precinct one hundred and sixteen legal votes in said precinct instead of one hundred and seventeen, as returned by the election officers for said voting precinct.

The contestant, A. F. Hanberry, states that the contestee, G. Frank Walthal, was on the 30th day of May, 1916, by the fiscal court of Trigg county, duly elected and appointed a member of the Board of Road Commissioners of Trigg county in the event the proposition to vote \$150,000.00 to construct and reconstruct roads and bridges in Trigg county carried at the election held for that purpose on the 15th day of June, 1916, and to issue bonds of said county to that extent. He states that said proposition did carry at said special election and thereupon the contestee, G. Frank Walthal, qualified as such road commissioner by taking the oath of office and executing bond in the penal sum of \$1,000.00 and entered upon the discharge of the duties of said office; that said office of road commissioner is a county office and as such is incompatible with the office of Representative in the General Assembly of the Commonwealth of Kentucky; that the said G. Frank Walthal, contestee aforesaid, did not file his written resignation of his said office of road commissioner with the county court clerk of Trigg county fifteen days before said election of November 6th, 1917, and all the votes cast for him are void.

The contestant, A. F. Hanberry, states that the contestee, G. Frank Walthal, did not at any time, nor fifteen days prior to the general election held in Trigg county, on November the 6th, 1917, at which a representative in the General Assembly from Trigg county and the Eighth Legislative District was to be elected, file his certificate of nomination as the Democratic candidate for said office with the county court clerk of Trigg county, as he was required to do in order to have his name printed on the official ballots for Trigg county, and the action of the county court clerk of Trigg county in causing the name of the contestee, G. Frank Walthal, printed

on the official ballots for Trigg county to be used at the said election of November the 6th, 1917, was illegal, void and of no effect, and every vote cast for him is void and does not confer on him any right, title or interest in said office.

Wherefore the contestant, A. F. Hanberry, asks a recount of the ballots in the above precinct; that he be declared duly elected to the office of Representative in the General Assembly of Kentucky from the county of Trigg and the Eighth Legislative District of Kentucky, and that he be seated as a member of said body from the county of Trigg, and for all proper relief, including costs herein expended.

A. F. HANBERRY.

A. F. Hanberry Contestant
vs. Notice of Contest.

G. Frank Walthal Contestee

Received through U. S. Mail, sealed, January 9th, 1918.
Opened and filed January 9th, 1918.

Att.: ELI BERRY.

Chief Clerk House of Representatives.

Eddyville, Ky.

The affiant, John B. Chilton, states that he is the warden of the Kentucky Penitentiary, at Eddyville, Ky.; that Mr. G. G. Cunningham was appointed a guard at said penitentiary on March 30th, 1917, and has worked continuously at said institution, except the following dates that he was absent, viz.: April 28, 29, 30th. July 12th, August 2, 3, 4, 5, 20, 21, 22, 23, 24, 25th, Nov. 3, 4, 5, 6th. The above named dates is all the days he has been absent from duty since his appointment.

JOHN B. CHILTON,

Warden Kentucky Penitentiary.

The above does not include Mr. Cunningham's vacation, allowed by law, which was from Aug. 13th to Aug. 20th, 1917.

Subscribed and sworn to before me as county clerk in and for said State and county, by John B. Chilton, Warden Kentucky Penitentiary, this 13th day of December, 1917.

W. H. ROGERS.

County Clerk of Lyon County, Ky.

By CLEODIS COTTON.

A. F. Hanberry Contestant

vs. Deposition for Contestant.

G. Frank Walthal Contestee

The deposition of G. G. Cunningham, taken by agreement of parties at the law office of Kelly & King, in Cadiz, Ky., December 14th, 1917, to be read as evidence on behalf of contestant in a contest proceeding pending before the House of Representatives of the General Assembly of Kentucky, in which A. F. Hanberry is contestant and G. Frank Walthal is contestee, witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 33 years old, claim Cadiz my home and work at Eddyville and am guard at Eddyville penitentiary. Q. Were you election commissioner of Trigg county during 1917? A. Yes, sir. Q. Do you remember when you were appointed and qualified as election commissioner? A. September, 1916. Q. When were you appointed and entered upon your duties as guard at the Eddyville State Penitentiary? A. I got the appointment some time in March and went to work the first of April, and am still working there. Q. Have you a certificate from the warden at the State Penitentiary showing that you are a guard there? A. I have. Q. I will get you to file same and make it part of your deposition by writing your name and this date across the back thereof. A. I will, and have done so. Q. Did you sign a certificate of nomination of G. Frank Walthal as a Democratic candidate for Representative from Trigg county in August, 1917? A. I did. Q. That certificate

bears date of August 24th, 1917; did you sign it on that date, and where were you when you signed that certificate of nomination? A. Signed it in the sheriff's office in Cadiz, Ky., on that date. Q. How came you to be present at that meeting of the Board of Election Commissioners? A. Mr. Atwood had notified me a few days before that he wanted us to meet before I went back. Q. Where did you stop in Cadiz on the 24th of August, 1917? A. I was staying at my mother's. Q. How long had you been in Trigg county and how long did you stay in Trigg county at that time? A. I came to Trigg county on the 12th and went back to Eddyville the 25th. Q. Were you in Trigg county all the time during those dates? A. I was not. Q. Can you give the names of three persons that you saw on the streets of Cadiz on the 24th day of August, 1917? A. I saw Charley Cunningham; I saw Mr. Atwood and I saw Lee Davis; I saw Joe Griffin. Q. When had you attended a meeting of the Board of Election Commissioners of Trigg county before the 25th day of August, 1917? A. July 12th. Q. I will ask you, Mr. Cunningham, if it is not a fact that the certificate of nomination of G. Frank Walthal as the Democratic candidate for Representative was not signed by you until after the November election and if same was not carried to you at Eddyville on the 22nd day of November, 1917, and was signed by you on that date? A. It was not signed after the November election and was not signed at Eddyville on the 22nd day of November, 1917."

Cross-examined. Q. Mr. Cunningham, where were you born and raised? A. Trigg county. Q. Where does your mother now live? A. She lives in Cadiz, Trigg county. Q. Have you ever voted elsewhere except in Trigg county? A. I have not. Q. Are you keeping house in Eddyville or boarding? A. Boarding. Q. Were you a housekeeper at the time you received your appointment as guard, and if so where did you live? A. I was, and lived in Cadiz. Q. Have you at each election since you have been appointed guard at

Eddyville returned to Cadiz to vote? A. I have. Q. Are you a taxpayer in Trigg county? A. I do. Q. Are your household goods stored away in Trigg county? A. They are, all except enough to furnish one room. Q. If I understand you then you are only temporarily away from Trigg county for the purpose of making a livelihood for you and your wife, still holding your citizenship in Trigg county and expecting to return to it as your home when your employment at Eddyville ceases? A. Yes, sir.

Re-examined in chief. Q. You and your wife both now live in Eddyville, Ky., Lyon county, while you are discharging your duty at the Eddyville State Penitentiary, do you not? A. She is there most of the time; part of the time she is in Cadiz, and, of course, I am there while I am on duty.

Re-cross-examined. Q. Do you regard and recognize Eddyville your home. A. I take Cadiz my home; I am just there temporarily.

GARLAND G. CUNNINGHAM.

STATE OF KENTUCKY,
TRIGG COUNTY.

I, R. A. Magraw, a notary public in and for the county and State aforesaid, certify that the foregoing deposition of Garland G. Cunningham was taken before me at the time and place mentioned in the caption; that said witness was duly sworn before giving it; that it was written by me in his presence, and read to and subscribed by him in my presence. The contestant was not present in person but was present by his attorney, G. P. Thomas; the contestee was not present in person but was present by his attorney, John W. Kelly.

Given under my hand and notarial seal this 14th
(seal) day of December, 1917.

My commission expires January 14th, 1920.

R. A. MAGRAW,
Notary Public.

July 14th, 1917.

DEAR SIR:—On account of being unable to devote my time and energy to your interest, and desiring to abide by the law, I hereby tender my resignation as deputy sheriff of Trigg county, to take effect at once.

Respt.,

J. C. HUMPHRIES.

On motion of H. P. Atwood, sheriff, it is ordered that J. C. Humphries be, and he is hereby, appointed deputy sheriff of Trigg county, 8th day of Nov., 1917.

A copy attest: W. L. DAVIS,
Clerk Trigg County Court.

By C. R. LACKEY, D. C.

On motion of H. P. Atwood, sheriff of Trigg county, J. C. Humphries is hereby appointed deputy sheriff of Trigg county and took the oath prescribed by law. This 23rd day of August, 1917.

STATE OF KENTUCKY, } *set.*
TRIGG COUNTY. }

I, W. L. Davis, clerk of the Trigg county court, do certify that the above is a true copy of order as per record in my office in Order Book O, page 287.

W. L. DAVIS, *Clerk.*

By C. R. LACKEY, D. C.

Trigg county court, called term, Oct. 27, 1917.

This day came J. Chas. Humphries and resigned as deputy sheriff of Trigg county.

A Copy Attest: W. L. DAVIS,
Clerk Trigg County Court.
By C. R. LACKEY, D. C.

A. F. Hanberry, ... Contestant,

vs. Depositions for Contestee.

G. Frank Walthal Contestee.

The deposition of G. Frank Walthal, the contestee, taken at the office of Brandon & Magraw, in the city of Cadiz, Trigg county, Kentucky, on Friday, the 14th of December, 1917, by agreement of parties, to be read as evidence in behalf of the contestee in a contest filed by A. F. Hanberry against G. Frank Walthal, to be heard by the General Assembly of Kentucky, in which proceeding A. F. Hanberry is contestant and G. Frank Walthal in contestee, the witness being duly sworn, deposes as follows: Q. State your age, residence and occupation. A. 39 years old; live in Canton, Trigg county, Ky., and am a farmer and a miller. Q. Mr. Walthal, where do you live? A. Canton, Trigg county. Q. How long have you lived there? A. Ten years. Q. Were you a candidate for the Democratic nomination for the office of Representative from Trigg county in the lower House of the General Assembly of Kentucky before the primary election held in Trigg county on August 4th, 1917? A. I was. Q. Prior to that primary election did you file the statement as required by law of your expenditures as a candidate before the primary election with the county court clerk of Trigg county? A. I did. Q. After the primary election on August 4th, 1917, did you file with the county court clerk of Trigg county your additional report as required by law of your expenditures in the primary canvass for the nomination? A. I did. Q. Mr. Walthal, were you the nominee of the Democratic party for the office of Representative in the lower House of the next General Assembly from Trigg county at the August primary election, 1917? A. I was. Q. Did you receive a certificate of your nomination as such candidate from the Board of Election Commissioners of Trigg county? A. I called on Mr. H. P. Atwood, Chairman of the Board of Election Commis-

sioners, and he told me that he had given my certificate to Mr. Davis, the county court clerk; I went to see Mr. Davis, and he said that my certificate had been filed. Q. When was that, Mr. Walthal? A. That was the county court day in September. Q. You mean the second Monday in September, 1917? A. Yes. Q. So if I understand you, that was the 10th day of September, 1917? A. It was. Q. Mr. Walthal, as the Democratic nominee for the office of Representative, did you file with the county court clerk of Trigg county prior to the election November the 6th, 1917, your report of expenditures as such candidate, as is required by law? A. I did. Q. After the November election, 1917, did you file with the county court clerk of Trigg county, as is required by law, your additional report of expenditures as a candidate for the office of representative from Trigg county? A. I did. Q. Mr. Walthal, did you, at the regular election held in Trigg county, on November 6, 1917, receive a majority of all the votes cast for the office of Representative from Trigg county in the lower House of the next General Assembly of Kentucky? Question objected to by Attorney for contestant. A. I did. Q. Did you receive a certificate of election from the full Board of Election Commissioners from Trigg county as a Representative-elect for Trigg county in the lower House in the next General Assembly of Kentucky? A. I did. Q. I believe you say that you are more than 24 years of age? A. I am. Q. And have continuously resided in Trigg county for more than twelve months next before the November election, 1917? A. I have. Q. Did you, at the time of the November election, 1917, hold any other office either State, county, city or national? A. I did not. Q. Mr. Walthal, when were you elected or appointed as one of the road commissioners of Trigg county? A. 30th day of May, 1916, I think. Q. When did you resign from that position? A. 3rd day of April, 1917. Q. To whom did you tender your resignation? A. To the fiscal court of Trigg county. Q. Was your resig-

nation accepted by that court? A. It was. Q. Who was elected as your successor as road commissioner for Trigg county and when, if you know? A. W. H. Hopson was elected the same day that I resigned. Q. Since April the 3rd, 1917, have you undertaken to perform any other duties as road commissioner of Trigg county or have you been regarded as one of the road commissioners of Trigg county? A. I have not.

Cross-examined. Q. Mr. Walthal, how long before the primary election on the 4th day of August, 1917, had you been a candidate for the Democratic nomination for representative to the General Assembly of Kentucky from Trigg county? A. About three months. Q. When you resigned as road commissioner of Trigg county did you go before the fiscal court of Trigg county while it was in session and resign in open court? A. I did. Q. Did you file in the office of the county court clerk of Trigg county a written resignation or a copy of your resignation in writing signed by you as such road commissioner of Trigg county more than fifteen days before the election held in Trigg county on November the 6th, 1917? A. I did not.

Re-examined in chief. Q. Mr. Walthal, had you tendered your resignation as road commissioner to the Trigg county fiscal court and had it been accepted by them more than fifteen days prior to the primary election held in Trigg county August the 4th, 1917? A. It had.

G. FRANK WALTHAL.

Also the deposition of G. B. Jefferson, taken at the same time and place and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. I am of lawful age, reside in Cadiz, Ky., and am an attorney. Q. Mr. Jefferson, did you take the minutes of the fiscal court of Trigg county at a meeting on the 3rd day of April, 1917? A. I did. Q. I will get you to examine the book now shown you

and state what it is? A. I have examined the book shown me; it is the record book of the Trigg county fiscal court orders and number 2. Q. I will get you to examine that book on page 415 and say if there was a full board of the magistrates or fiscal court on April 3rd, 1917? A. I have examined the book shown me above referred to and find that all of the magistrates of Trigg county were present with the exception of Esq. Minton. Q. Was it before the meeting of that board and on that date that G. Frank Walthal tendered his resignation as road commissioner of Trigg county? A. The resignation of G. F. Walthal, road commissioner, was tendered to that board on that day and accepted and a vacancy declared to exist in said board of commissioners.

G. B. JEFFERSON.

Also the deposition of J. C. Humphries, taken at the same time and place, and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 29 years old, live in Trigg county, and am deputy sheriff. Q. Mr. Humphries, were you, in the year 1917, deputy sheriff of Trigg county? A. I was part of the year. Q. Who was the sheriff of whom you were acting? A. H. P. Atwood. Q. Did you resign your office as deputy sheriff of Trigg county? A. I did. Q. To whom did you tender your resignation? A. To the sheriff, Mr. H. P. Atwood. Q. Was that resignation in writing or not? A. It was. Q. I will get you to examine paper now shown you and say if that is the written resignation that you tendered to H. P. Atwood, sheriff of Trigg county, of your position as one of his deputies, and if so, please state the date of it and in whose writing it is? A. This is the one I tendered to him, yes, sir; on July 14th, 1917, and in my own hand writing. Q. Did Mr. Atwood accept that resignation? A. He did. Q. From that time until after the November election, 1917, did you act as his deputy? A. I did after the primary. Q. Mr. Humphries, will you file a

copy of that writing identified by writing your name and this date across it and make it a part of your deposition? A. I will.

Cross-examined. Q. You were a candidate for the Democratic nomination for sheriff of Trigg county at the time you tendered this resignation to Mr. Atwood, were you not? A. I was; yes, sir. Q. On the 31st day of July, 1917, the records of the Trigg county court show that you resigned the office of deputy sheriff; is that record correct or not? A. It is not. Q. What day were you reappointed by Mr. Atwood as deputy sheriff after the primary? A. Don't remember the date. Q. The records of the Trigg county court clerk's office show that you were reappointed deputy sheriff on Mr. Atwood's motion on the 24th day of August, 1917; is that date correct? A. I don't know. Q. The records of the Trigg county court clerk's office shows that you again resigned as deputy sheriff of Trigg county on the 24th day of October; is that date about correct or not? A. I don't think that date is correct; I think I was reappointed to serve some special papers; and don't know what the records show. Q. The records of the Trigg county court clerk's office show that you were again appointed deputy sheriff of Trigg county on motion of H. P. Atwood, on the 8th day of November, 1917; is that date about correct or not? A. I don't remember that date. Q. Will you file and make a part of this your deposition by writing your name and this date on the back thereof, certified copies of your reappointment and resignation in October and reappointment in November on the payment for the copies by the contestant? A. I will. Q. You were the nominee and candidate of the Democratic party for the office of sheriff for Trigg at the November election, 1917, were you not? A. I was.

Re-examined in chief. Q. When you say you will file copies of your resignation and appointments from time to time, you mean you will file certified records of the Trigg county court clerk's office if brought to you whether correct

or not, but will file them for what they are worth? A. That is what I mean. Q. Mr. Humphries, as a matter of fact, you were not H. P. Atwood's deputy at the time of either the primary election or the November election, 1917, were you not? A. I was not.

J. CHAS. HUMPHRIES.

Also the deposition of A. C. Burnett, taken at the same time and place and for the purpose stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 43 years old, live in Cadiz, Ky., and am circuit court clerk. Q. Were you one of the election officers in the North Cadiz voting precinct, in Cadiz, Ky., at the regular election held November 6th, 1917, and if so, what was your position? A. I was, I was the clerk of the election. Q. Do you know one Herman Roach? A. Yes, sir, I know him. Q. Mr. Burnett, did you stamp Herman Roach's ballot at the November election, 1917? A. I did. Q. Under what conditions did you stamp it; please state fully? A. He came in to vote and I issued him the ballot in the regular way and handed it to him, and he went to the booth to vote, but came back and said that he could not see how to vote; said he wanted somebody to show him; I told him to take his ballot around to a window and vote it himself; he said that he could not see and asked me to vote it for him, which I did. Q. Did you vote the ballot as he directed you to vote it? A. I did. Q. Did you vote that ballot in the presence of the Republican and Democratic election officers? A. I did; all were present. Q. How long have you known this boy, Herman Roach? A. I have known him all of his life. Q. Is it not a fact that he is practically blind and can hardly see how to make his way on the streets? A. It is commonly known that his eyesight is mighty bad.

Cross-examined. Q. Herman Roach frequently rides and drives horses about the streets of Cadiz, does he not?

A. Yes, that is his business. Q. Before stamping the ballot of Herman Roach, in the presence of the election officers, at the November election, 1917, North Cadiz precinct of Trigg county, did you swear said Roach, touching his physical incapacity to properly stamp his own ballot before stamping it for him? A. I did not.

A. C. BURNETT.

Adjourned to meet at nine o'clock tomorrow morning, December 15th, 1917.

Met pursuant to adjournment December 15th, 1917.

Also the deposition of J. B. Alexander, taken at the same place December 15th, 1917, and for the purposes stated in the caption, the witness being duly sworn deposes as follows:

Q. State your age, residence and occupation? A. 43 years old; live in Cadiz, Ky., and am a merchant. Q. Mr. Alexander, were you one of the election officers at the North Cadiz voting precinct of Trigg county at the regular election held November 6th, 1917, and if so, what position did you hold? A. I was one of the judges of the election. Q. Do you know Herman Roach? A. I do. Q. Do you remember the circumstances of Herman Roach voting in that precinct? A. I do. Q. To your knowledge, was or not Herman Roach a legal voter in the North Cadiz voting precinct of Trigg county? A. I think he was. Q. He had been a resident of that voting precinct all of his life had he not? A. Yes. Q. Did the clerk of the election vote Herman Roach's ballot, and if so, please state the circumstances in your own way? A. He did; Roach came in the door and Mr. Burnett had written his name on it before he called for it; he handed it to Roach; Roach said "I can't vote it; you vote it for me." Mr. Peal asked him to go over to a window where he could see. He went over to a window, said he could not see, came back, asked Mr. Burnett to vote the ballot for him. Q. You say that Mr. Burnett wrote the ballot before he called for it; did Mr. Burnett write the ballot before he came in the house? A. No, sir.

Q. If I understand you, Mr. Alexander, when the man came in the door of the voting precinct Mr. Burnett had the ballot ready by the time he got to the table? A. Mr. Burnett could see the voter the full length of the building, and after he came in the door he wrote his name to save time, as he did most of the voters as they came in. Q. How long have you known this boy Herman Roach? A. I would think about twenty or twenty-five years. Q. Is he or not practically blind? A. He is so regarded, and I have had him a number of times to come in the store when I would be standing by the stove and walk right up against me, then ask my pardon and would say that he did not see me. Q. Was there any objection raised by any of the election officers of the North Cadiz voting precinct to Mr. Burnett voting Herman Roach's ballot after he said that he could not see how to vote? A. There was not. Q. Did Mr. Burnett stamp that ballot in the presence of the election officers of the North Cadiz voting precinct? A. He did. Q. Did he stamp it as Herman Roach directed him to stamp it? A. He did.

Cross-examined. Q. Did A. C. Burnett, the clerk of the election in the North Cadiz voting precinct of Trigg county at the November election, 1917, just prior to stamping the ballot of Herman Roach administer to said Herman Roach an oath touching his inability to stamp his own ballot on account of his physical infirmities or blindness? A. He did not. Q. Herman Roach sometimes drive horses to buggies and rides horses on the streets of Cadiz, does he not? A. He does.

J. B. ALEXANDER.

It is agreed by and between A. F. Hanberry, contestant, and G. Frank Walthal, contestee, that both A. F. Hanberry and G. Frank Walthal filed with the county court clerk of Trigg county, Kentucky, all the reports of expenses required to be filed by law under the act known as the Corrupt Practice Act and the filing of copies of said reports are here waived by each party to the proceeding.

STATE OF KENTUCKY,
TRIGG COUNTY,

I, R. A. Magraw, notary public in and for the county and state aforesaid, certify that the foregoing depositions of G. Frank Walthal, G. B. Jefferson, J. Chas. Humphries, A. C. Burnett and J. B. Alexander, were taken before me at the time and place stated in the caption; that said witnesses were duly sworn before giving them; that they were written by me in their presence, and read to and subscribed by them in my presence. The contestant was not present in person but was present by his attorney, G. P. Thomas. The contestee was present part of the time in person and was present all the time by his attorney, John W. Kelly. Given under my hand this 15th day of December, 1917.

R. A. MAGRAW, *Notary Public.*

My commission expires January 14th, 1917.

STATE OF KENTUCKY, }
COUNTY OF TRIGG. } *Sct.*

This is to certify that A. F. Hanberry was duly nominated according to law, as the Republican candidate for the office of Representative in the next General Assembly to be filled by the voters of Trigg county, Kentucky, he being the only candidate for the Republican nomination for said office, who filed his notification and declaration with me before the August primary election, 1917, as required by law, and this certificate of nomination as the candidate for the Republican party for said office is given him pursuant to section 1565j of the Kentucky Statutes. Given under my hand this 19th day of September, 1917.

A copy attest: W. L. DAVIS,
Clerk of Trigg County Court.
By C. R. LACKEY, *D. C.*

COMMONWEALTH OF KENTUCKY, }
COUNTY OF TRIGG. } *Sct.*

We, H. P. Atwood, Garland Cunningham and James E. Burnett, duly authorized to canvass the returns of the county of Trigg, do certify that at the primary election held in said county on the 4th day of August, 1917, G. Frank Walthal was duly nominated a sthe Democratic candidate for the office of Representative.

This Aug. 24th, 1917.

H. P. ATWOOD, *Chairman.*

G. G. CUNNINGHAM.

STATE OF KENTUCKY, }
COUNTY OF TRIGG. } *Sct.*

I, W. L. Davis, county court clerk for the county and state aforesaid, do certify that the foregoing certificate of G. Frank Walthal is a true and correct copy as appears on file in my said office.

Witness my hand this 3rd day of Dec., 1917.

W. L. DAVIS,

County Court Clerk Trigg County.

After tabulating the vote as above set out the board adjourned to meet Wednesday, Aug. 8th, for the purpose of recording certificates and the transaction of such other business as may come before said board.

This 7th day of August, 1917.

H. P. ATWOOD, *Chairman.*

JAMES E. BURNETT, *Com.*

STATE OE KENTUCKY, }
COUNTY OF TRIGG. } *Sct.*

I, W. L. Davis, county court clerk of the county and state aforesaid, do certify that the foregoing is a true and cor-

rect copy as appears of record in my office in election commissioners' book, at page 216.

Witness my hand this 3rd day of Dec., 1917.

W. L. DAVIS,

County Court Clerk Trigg County.

I, C. R. Lackey, deputy county court clerk of Trigg county, Ky., do certify that after searching the records of the Trigg county court clerk's office find that on the 3rd day of April, 1917, at a regular term of the fiscal court of Trigg county, Ky., that G. F. Walthal appeared in open court and tendered his resignation as road commissioner of Trigg county, which resignation was accepted by the court. I found no written resignation.

C. R. LACKEY.

This day came J. C. Humphries and resigned as deputy sheriff of Trigg county, this 31st day of July, 1917.

STATE OF KENTUCKY, } *Sct.*
COUNTY OF TRIGG. }

I, W. L. Davis, clerk of the county court for the county and state aforesaid, do certify that the foregoing is a true copy of the order of the resignation of J. C. Humphries as deputy sheriff of Trigg county, Ky.

Witness my hand this 11th day of Dec., 1917.

W. L. DAVIS, *Clerk.*

By C. R. LACKEY, *D. C.*

Number of ballots market spoiled in the Linton precinct November 6th, 1917, 4 votes.

STATE OF KENTUCKY, } *Sct.*
TRIGG COUNTY. }

I, W. L. Davis, clerk of the Trigg county court, do certify that the above is a true copy of the number of votes marked

spoiled in the Linton precinct November 6th, 1917, as per record in my office.

W. L. DAVIS, *Clerk.*

By C. R. LACKEY, *D. C.*

Bond of G. F. Walthal as road commissioner of Trigg county.

We, G. F. Walthal and J. H. Hopson, his surety, do hereby covenant with the Commonwealth of Kentucky in the penal sum of one thousand dollars that the said G. F. Walthal, as road commissioner of Trigg county, shall well and truly discharge all the duties of said office, according to law, and pay over to all parties entitled thereto, any funds that may come into his hands by virtue of his office as road commissioner aforesaid. Witness our hands this 19th day of June, 1916.

G. F. WALTHAL,

J. H. HOPSON.

STATE OF KENTUCKY, }
TRIGG COUNTY. } *Sct.*

I, W. L. Davis, clerk of the Trigg county court, do certify that the foregoing is a true and correct copy of the bond of G. F. Walthal as road commissioner, as appears of record in miscellaneous bond book, page 15, in the Trigg county court clerk's office.

Witness my hand this 3rd day of December, 1917.

W. L. DAVIS, *Clerk.*

By C. R. LACKEY, *D. C.*

Democratic primary election, held August 4th, 1917.

WALTHAL		HILLMAN	
Laura Furnace	16	Laura Furnace	14
Golden Pond	38	Golden Pond	40
Ferguson Spring	15	Ferguson Spring	14
Trigg Furnace	41	Trigg Furnace	32
Bethesda	40	Bethesda	24
Wallonia	63	Wallonia	67
Cerulean	94	Cerulean	39
Montgomery	51	Montomey	33
Caladonia	24	Caladonia	50
Roaring Spring	40	Roaring Spring	34
Long Hollow	16	Long Hollow	52
Maggie	16	Maggie	35
Donaldson	20	Donaldson	22
Linton	41	Linton	52
Canton	115	Canton	31
North Cadiz	79	North Cadiz	51
South Cadiz	89	South Cadiz	99
West Cadiz	80	West Cadiz	59
Total		Total	
878		748	

STATE OF KENTUCKY, } *Sct.*
 TRIGG COUNTY.

I. W. L. Davis, clerk of the Trigg county court, do certify that the foregoing is a true and correct statement of the vote cast for D. H. Hillman and G. Frank Walthal, candidates for Representative in the primary election held August 6th, 1917, as appears of record in my office.

Given under my hand this 3rd day of December, 1917.

W. L. DAVIS, *Clerk.*

By C. R. LACKEY, *D. C*

General election held November 6th, 1917.

G. F. WALTHAL		A. F. HANBERRY	
Laura Furnace	22	Laura Furnace	30
Golden Pond	43	Golden Pond	91
Ferguson Spring	26	Ferguson Spring	91
Trigg Furnace	39	Trigg Furnace	59
Bethesda	53	Bethesda	27
Wallonia	75	Wallonia	71
Cerulean	132	Cerulean Spring	91
Montgomery	67	Montgomery	69
Caladonia	73	Caladonia	89
Roaring Spring	79	Roaring Spring	106
Long Hollow	58	Long Hollow	87
Linton	74	Linton	77
Maggie	40	Maggie	34
Donaldson	26	Donaldson	17
Canton	125	Canton	58
North Cadiz	118	North Cadiz	123
South Cadiz	145	South Cadiz	103
West Cadiz	102	West Cadiz	61
Total		Total	
1297		1284	

STATE OF KENTUCKY, }
 TRIGG COUNTY. } *Sct.*

I, W. L. Davis, clerk of the Trigg county court, do certify that the foregoing is a true and correct statement of the vote cast for G. Frank Walthal and A. F. Hanberry in the general election held November 6th, 1917, as appears of record in my office.

Given under my hand this December 3rd, 1917.

W. L. DAVIS, *Clerk.*

By C. R. LACKEY, *D. C.*

Resignation of G. F. Walthal as road commissioner of Trigg county.

G. F. Walthal, road commissioner, came and in open court tendered his resignation as such commissioner from the second magisterial district, which resignation was accepted by the court, and a vacancy was thereupon declared to exist in said board of Trigg county road commissioners, and upon motion of D. D. Creekmur W. H. Hopson was duly elected by the unanimous vote of this court as a member of said board road commissioners from the second magisterial district. Thereupon the court appointed D. D. Creekmur and G. F. Walthal committee to notify him of said appointment or election by this court.

STATE OF KENTUCKY, } *Sct.*
TRIGG COUNTY.

I, W. L. Davis, clerk of the Trigg county court, do certify that the foregoing is a true and correct copy of the resignation of G. F. Walthal as road commissioner of Trigg county, as appears of record in order book No. 2 of the Trigg county fiscal court, on April 3rd, 1917, at page 417.

Witness my hand this 3rd day of December, 1917.

W. L. DAVIS, *Clerk.*

By C. R. LACKEY, *D. C.*

THE COMMONWEALTH OF KENTUCKY.

To the Sheriff or any Constable of Trigg County, Kentucky:

You are hereby commanded to summon H. P. Atwood to appear at the office at Max Hanberry, in Cadiz, Trigg county, Kentucky, on or before eleven o'clock a. m. on December 11th, 1917, to testify in behalf of A. F. Hanberry, contestant, against G. Frank Walthal, contestee.

Given under my hand this 11th day of December, 1917.

R. A. MAGRAW, *Examiner.*

THE COMMONWEALTH OF KENTUCKY.

To the Sheriff of Trigg County:

You are commanded to summon W. L. Davis, W. T. Ladd and Hilson Peal to appear before the undersigned at the law office of Max Hanberry, in Cadiz, Ky., on December 4th, 1917, to testify on behalf of the contestant in a contest proceeding before the House of Representatives of the General Assembly of Kentucky, in which A. F. Hanberry is contestant and G. Frank Walthal is contestee.

Given under my hand this 26th day of November, 1917

R. A. MAGRAW, *Examiner.*

THE COMMONWEALTH OF KENTUCKY.

To the Sheriff of Trigg County:

You are commanded to summon John F. Davis, Wall Vinson, John D. Shaw and C. R. Lackey to appear before the undersigned at the law office of Max Hanberry, in Cadiz, Ky., on December 3rd, 1917, to testify on behalf of the contestant in a contest proceeding before the House of Representatives of the General Assembly of Kentucky, in which A. F. Hanberry is contestant and G. Frank Walthal is contestee

Given under my hand this 26th day of November, 1917.

R. A. MAGRAW, *Examiner.*

A. F. Hanberry Contestant

Against Notice to Take Depositions.

G. Frank Walthal Contestee.

The contestee, G. Frank Walthal, will take notice that I will, on Monday, the 3rd day of December, A. D. 1917, between the hours of 6 o'clock a. m. and 6 o'clock p. m., at the law office of M. M. Hanberry, in the city of Cadiz, Trigg county, Kentucky, proceed to give my own and to take the depositions of the following witnesses, to-wit: John F. Davis,

Wall Vincent, John D. Shaw, C. R. Lackey, W. L. Davis, W. T. Ladd, Hilson Peal and divers other witnesses, to be read as evidence in my behalf in a contest proceeding before the House of Representatives of the General Assembly of the Commonwealth of Kentucky, in which I am contestant and you are contestee, and the work of taking such depositions will continue from day to day, Sundays excepted, until completed.

A. F. HANBERRY, *Contestant.*

By M. M. HANBERRY,

G. P. THOMAS,

His Attorneys.

A. F. Hanberry Contestant

vs. Depositions for Contestant.

G. Frank Walthal Contestee.

The deposition of A. F. Hanberry, taken at the law office of Max Hanberry, in Cadiz, Ky., on the 3rd day of December, 1917, to be read as evidence in his behalf in the contest proceeding before the House of Representatives of a General Assembly of the Commonwealth of Kentucky, in which A. F. Hanberry in contestant and G. Frank Walthal is contestee, the same being taken pursuant to notice hereto, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 42 years old, live in Trigg county, Kentucky, and a farmer and school teacher. Q. What voting precinct do you live in? A. Bethesdy. Q. Are you a legal voter in that precinct? A. Yes, sir. Q. How long have you been living in that precinct continuously? A. All of my life with exception of a few months. Q. Tell when and where that was when you lived out of the precinct? A. About twenty years ago I lived in Paducah about six months one time and the next year went back and lived there five months. Q. Then if I understand

you, you have lived continuously in Trigg county and been a legal voter in Trigg county for the past twenty years? A. I temporarily moved down to Eddyville in 1908 and lived there about nine months. Q. Have you lived continuously in Trigg county since that date and been a citizen and voter? A. Yes, sir. Q. Do you hold any civil office or have you within the last five years? A. No, sir. Q. What are your politics? A. Republican. Q. Did you support the candidate of that political party at the November election, 1916? A. Yes, sir. Q. Were you a candidate for the Republican nomination for Representative in the General Assembly of Kentucky before the August primary, 1917? A. Yes, sir. Q. Did you have any opposition for that nomination; that is, an opponent? A. No, sir. Q. Before and after the August, 1917, primary election did you or not file with the county court clerk of Trigg county the two reports of expenses required by law? A. Yes, sir. (Question and answer objected to by attorney for contestee.) Q. Did you receive a certificate of nomination as the nominee of the Republican party for the nomination of representative in the General Assembly of Kentucky issued by W. L. Davis, county clerk of Trigg county? A. Yes, sir. (Question and answer objected to.) Q. State whether or not you filed that certificate of nomination with the county court clerk of Trigg county and on what date if you remember did you file it with him? A. Yes, sir, but don't remember the date. (Question and answer objected to.) Q. Have you a copy of that certificate of nomination in your possession duly certified by the clerk of the Trigg county court? A. Yes, sir. Q. Have you that with you? A. No, sir. Q. Will you send it to the examiner and file it as part of your deposition? A. Yes, sir. Q. Did you or not, prior and after the November election, 1917, file with the county court clerk of Trigg county the two reports of expenses required to be filed under the law? A. Yes, sir. (Question and answer objected to.) Q. Did you or not go to

the county court clerk's office in Cadiz, Ky., on or about Saturday, November the 17th, 1917, and demand of the county court clerk a copy of the certificate of nomination of Hon. G. Frank Walthal, Democratic candidate for Representative in the General Assembly of Kentucky from Trigg county, issued by the board of election commissioners of Trigg county? A. Yes, sir, I did. Q. Did you get it; get the copy? A. No, sir. Q. Why not? A. The clerk claimed that he could not find it.

Cross-examined. Q. You were present when the election commissioner for Trigg county counted the vote as between you and G. Frank Walthal for representative from Trigg county in the General Assembly of Kentucky as certified to by both the Republican and Democratic election officers in each voting precinct in Trigg county, were you not? A. Yes, sir, I was. Q. You were present when the election commissioners, by a full board, including a Republican, went over the question and rejected ballots as certified to by the Republican and Democratic election officers from each voting precinct in Trigg county, were you not? A. Yes, sir. Q. I will ask you if the result of the election in Trigg county on November the 6th, 1917, didn't show as certified to by both Republican and Democratic election officers and as shown as a recount from the questioned and rejected ballots that were returned to the election commissioners of Trigg county that Mr. Walthal had received thirteen more votes for Representative than you had? (Objected question.) A. Yes, sir.

Re-examined in chief. Q. If I understand you the finding of election commissioners of Trigg county after tabulating the returns from the several precincts of Trigg county and counted such questioned or rejected ballots that they saw fit to count, the total showed a majority of thirteen for Mr. Walthal? A. Yes, sir.

A. F. HANBERRY.

Also the deposition of C. R. Lackey, taken at the same time and place, and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 50 years old, live in Trigg county and am deputy county court clerk. Q. Mr. Lackey, as county court clerk you have charge of the poll books and election records of Trigg county? A. Yes, sir. Q. I will get you to examine the paper shown you and state what it is? A. This is the statement of the vote cast between Mr. Hillman and Mr. Walthal in the primary August 4th, 1917. Q. I will get you to identify same by writing your name and this date on the back of it and file it with your deposition? A. I will, and have done so. (The last two questions and answers objected to.) Q. Mr. G. Frank Walthal and Mr. D. H. Hillman were both candidates at the August primary, 1917, for the Democratic nomination for Representative to the General Assembly of Kentucky from Trigg county, were they not? A. They were. (Question and answer objected to.) Q. I will ask you to examine the paper shown you and state what it is? A. This is the statement of the vote cast November the 6th general election between Mr. Walthal and Mr. Hanberry, candidates for Representative. Q. I will get you to identify same by writing your name and this date across the back of it and file it with your deposition? A. I will, and have done so. Q. Are the reports of expenses of candidates for Representative in the General Assembly of Kentucky from Trigg county required by the Corrupt Practices Act filed in the county court clerk's office? A. I could not say, I have never seen Mr. Walthal's; I have seen Mr. Hanberry's. Q. Will you make a copy of the reports of campaign expenses filed in your office by A. F. Hanberry, candidate for Representative both before and after the primary election and before and after the November general election and identify same by writing your name and this date on the back thereof and file same with Mr. Magraw,

the examiner, and make it a part of this, your deposition?

A. Yes, sir, I will. Q. Mr. Lackey, was the certificate of nomination of G. Frank Walthal as the Democratic nominee for Representative in the General Assembly from Trigg county issued by the board of election commissioners for Trigg county filed in the office of the Trigg county court clerk more than fifteen days before the general election held in Trigg county on November the 6th, 1917? A. I could not say; some of the papers filed with me and some filed with the others.

Q. Was such a certificate filed with you? A. No, sir. Q. Have you had occasion to look for Mr. Walthal's certificate of nomination as a Democratic candidate for Representative through the records of the county court clerk's office in Trigg county? A. Not thoroughly; I took one little look, but I haven't looked thoroughly. Q. When did you look for it, Mr. Lackey? A. I looked one Saturday evening, but don't remember the date; Mr. Hanberry came in and had me to look, but was very busy and didn't look but a few minutes.

Q. Was that before or after the general election, the best of your recollection? A. That was after the election. Q. Did you find any other certificates of nomination of any other candidates filed in that office at the time you were looking for the certificate of G. Frank Walthal? A. Yes, I found some, but not all of them. Q. Describe the place where you found them? A. I found them in a box where we have to file those election papers. Q. Do you remember whose certificate of nomination you found? A. No, sir, I do not. Q. By the way of refreshing your recollection, I will ask you if you didn't find the certificate of nomination of A. F. Hanberry, the Republican candidate for Representative and give him a copy of it at that time? A. We found the certificate of Mr. Hanberry, but I didn't give him a copy; someone else made the copy and I help verify it and I certified to it. Q. I will ask you if it is not a fact that you did not find in the records of the county court clerk's office the certificate of nomination of

any Democratic candidate for any office to be filled by the voters of Trigg county at the November election, 1917? A. I don't remember whether I did or not; I wasn't looking for any except Mr. Walthal's; I don't know whether I found any or not. Q. Didn't you look for Judge Hook's, and did you find it? A. No, I haven't looked for any since the afternoon that Mr. Hanberry was there. Q. I mean on that date; the same date? A. No, I don't remember looking for Judge Hook's certificate. (The last two questions and answers objected to.) Q. How long was it after you looked for the certificate of nomination of Mr. Walthal before Mr. W. L. Davis, the county court clerk, came in the office? A. I suppose it was something near a half an hour. Q. Did Mr. Davis himself then look for the certificate of nomination of Mr. G. Frank Walthal through his office? A. I don't know; he and Mr. Hanberry went in the vault; I was busy on the outside. Q. I will ask you, were those papers kept in the vault or not? A. Yes, sir, they were kept in the vault. Q. If there is any such certificate of nomination as a Democratic candidate from Trigg county issued by the board of election commissioners of Trigg county filed in your office, will you make a copy of same and identify same by writing your name and this date on the back thereof and make it a part of this, your deposition? A. Yes, I will. (Question and answer objected to.) Q. Will you make a copy of the part of the fiscal court record of Trigg county made on the 30th day of May, 1916, showing the appointment of G. Frank Walthal as one of the road commissioners of Trigg county and also copy of his bond as such commissioner, and identify same by writing your name and this date on the back thereof and file same as part of this, your deposition? A. Yes, sir. Q. Mr. Lackey, where are the ballot boxes containing the returns required by law to be placed therein from the several voting precincts of Trigg county now kept? A. They are kept on the inside of the county court clerk's office. Q. When there is no clerk or

deputy in the office is the room in which the ballot boxes kept under lock and key? A. It is. Q. How many people worked in the office from prior to fifteen days before the election beside you and Mr. Davis back to the first of September? A. There has been two besides Mr. Davis and myself. Q. Were they regular deputies or were they just doing piece work? A. They were regular deputies. Q. Who were they? A. Frank Bruce and Edward Morse. Q. State if you know about the date they quit working in there A. Frank Bruce quit about the first day of October or the last day of September; Edward Morse, I don't remember exactly the date, but about the middle of November. Q. Which one had charge of the office, chief deputy, during Mr. Davis' absence? A. They were not there together; when Frank quit he then got the little Morse boy; I have been the chief deputy; I have caried the keys. Q. Where is Frank Bruce? A. He is supposed to be at Camp Taylor, drafted in the army. Q. On the occasion about the 17th of November that you looked for the certificate of nomination of Mr. Walthal, didn't you, at that time, make the statement, in the presence of Judge John D. Shaw, John F. Davis and Wall Vinson and myself, that if Mr. Walthal had ever filed any certificate of nomination that he did so before you became the deputy of the Trigg county clerk's office? A. I don't know as I did; I remember stating that it had not been filed with me; perhaps it had been filed before I came there. (Question and answer objected to.) Q. Will you state that you did not make that statement in the presence of those gentlemen? A. I have no recollection of making that statement; I don't know whether I made it or not. (Question and answer objected to.) Q. How long have you been deputy clerk in that office; please state the day, if you can, that you was deputized as deputy clerk and took charge of the office? A. 20th day of August, 1917.

Cross-examined. Q. W. L. Davis, the county court clerk, is here in the city isn't he? A. Yes, sir. Q. He re-

ceives papers in that office as well as you, doesn't he? A. Yes, sir. Q. While Frank Bruce worked in there he received papers, didn't he? A. He did. Q. While Edwin Morse worked in there he received papers in there, didn't he? A. He did. Q. So you don't undertake to say that since you have worked in that clerk's office over there you have received all the papers that have been filed there, do you? A. No, sir, I have not. Q. The fact of the business, you know that G. Frank Walthal, according to the count made by the election commissioners, was the Democratic nominee for Representative from Trigg county in the Lower House of the General Assembly of Kentucky according to the record in your office? A. Yes, sir. Q. And you know whether or not Mr. Davis rightfully placed his name on the official ballot for the November election, 1917; it was there? A. Yes. Q. And you know from the records in your office that the election commissioners for Trigg county found by a count of the votes as certified to them by the election officers from the various precincts of Trigg county that G. Frank Walthal received more votes for Representative in the General Assembly of Kentucky than A. F. Hanberry received at the November election, 1917? A. Yes, sir. Q. How long have you known G. Frank Walthal? A. I expect something near twenty years. Q. How old is he? A. I expect him about 40. Q. To your knowledge, how long has G. Frank Walthal been continuously a citizen and voter of Trigg county prior to the November election, 1917? A. I expect about twelve or thirteen years. Q. Well, you do know that for more than twelve consecutive months next before the November election, 1917, that G. Frank Walthal was a citizen and resident of Trigg county, do you not? A. Yes, sir. Q. Mr. Lackey, as deputy county court clerk I will get you to examine the stub books for the Linton voting precinct of Trigg county and state how many questioned, spoiled or rejected ballots there was certified from that precinct to the election commissioners of Trigg

county that the officers of the election by mistake sealed up in the big envelope and the election commissioners didn't have access to A. Four votes. Q. Mr. Lackey, I will ask if the record of the election of November, 1917, in Trigg county, don't show that if all the votes at the Linton precinct that were not gone over by the election commissioners had been counted for Hanberry if it still would not have left Walthal a majority? (Objected to.) A. Yes, sir.

Re-examined in chief. Q. Did Mr. G. Frank Walthal file in the office of the county clerk of Trigg county more than fifteen days before the November election a written resignation of the office of road commissioner of Trigg county? A. He didn't file it with me. Q. I will get you to examine and make a search in the county clerk's office and see if such written resignation was so filed by Mr. Walthal, and if so filed will you make a copy of same showing the date when same was filed and identify same by writing your name and this date on the back thereof and file same with the examiner as part of your deposition? A. I will.

Re-cross-examined. Q. Mr. Lackey, please examine the minutes of the Trigg county fiscal court of April the 3rd, 1917, and say if the records of the fiscal court of Trigg county don't show that on that day Mr. Walthal appeared in open court and tendered his resignation as road commissioner of Trigg county, that his resignation was accepted and that Mr. W. H. Hopson was, by the fiscal court, elected as his successor and file a copy of record of the fiscal court of April 3rd, 1917, and identify that copy by writing your name and this date on the back thereof and make it a part of your deposition? A. I will. Q. Mr. Lackey, I will ask you to examine the records of the fiscal court of Trigg county of April 18th, 1917, and say if on that date W. H. Hopson didn't execute bond to Trigg county as the successor of G. Frank Walthal as road commissioner for Trigg county, file a copy of that record, identify it by writing your name and this date across

the back of same and file it and make it part of your deposition? A. I will. Q. To your own knowledge, isn't it a fact that W. H. Hopson has since the early spring of 1917, been the road commissioner of Trigg county in the place of G. Frank Walthal? A. He has.

Re-examined in chief. Q. In the event you fail to find in the county court clerk's office such written resignation of G. Frank Walthal as road commissioner of Trigg county will you so certify in writing and identify same by writing your name and this date on the back thereof, and file same with the examiner and make it part of your deposition? A. Yes, sir.

C. R. LACKEY.

Also the deposition of W.L. Davis, taken at the same time and place and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 47 years old, live in Trigg county, Ky., and am county court clerk. Q. How long have you been county court clerk? A. This is my eighth year. Q. Are you acquainted with G. Frank Walthal? A. I am. Q. Did Mr. G. Frank Walthal more than fifteen days before the general November election, 6th day, 1917, file in your office a certificate of nomination as the Democratic nominee for the office of Representative in the General Assembly of Kentucky from Trigg county, issued by the board of election commissioners of Trigg county just after the August primary election? A. He did not but Mr. Press Atwood did. Q. What day was that certificate filed? A. 24th day of August. Q. By whom was it signed? A. It was signed by Mr. Atwood and Garland Cunningham. Q. Where is that certificate? A. It is over there in the office. Q. Will you get it and let me look at it? A. Yes, sir. Q. On what date and by whom were the words "filed August 24th, 1917, W. L. Davis, clerk," written on the back of said certificate of nomination? A. I did. Q. What date was

it written there? A. It was written on the 24th day of August, 1917. Q. Do you know who prepared this certificate of nomination? A. I do not. Q. Did H. P. Atwood in person come to your office and file this certificate of nomination? A. He did, with these others. Q. Was he by himself or with some one? A. By himself, I think. Q. Will you make a copy of this certificate of nomination of G. Frank Walthal and identify same by writing your name and this date on the back thereof and file it with the examiner and make it a part of your deposition? A. I will. Q. Do you know whether or not G. G. Cunningham was in the city of Cadiz on the 24th day of August, 1917? A. Yes, sir; I think I saw him here. Q. On the 17th day of November, 1917, Mr. Hanberry was in your office in Cadiz, Ky., and asked for a copy of the certificate of nomination of G. Frank Walthal and you could not find such certificate in the records of your office on that date; is this true or not? A. Mr. Hanberry came in there and asked for those certificates and I didn't understand what he wanted at first, but after looking for them I could not find them in the boxes where the others were filed, but told him that it was there and I would find it for him. Q. I will ask you, Mr. Davis, after you found out what certificate of nomination he wanted, if you didn't look for it then? A. I did. Q. Did you find it? A. I did not then, because when Mr. Atwood gave them to me, I put them in my private safe for safe keeping. Q. Didn't you, at that time, find a certificate of nomination of the Republican candidate, and especially A. F. Hanberry, the Republican candidate for Representative, in your safe at that time for safe keeping also? A. I did not find it in the safe. Q. Where were they kept? A. In a box in the vault. Q. Why was it, Mr. Davis, that the Republican certificate of nomination was kept in a box and this certificate of Mr. Walthal's was in a different place? A. I was standing back there by my safe when Mr. Atwood handed me those papers and just turned around there and

put them in there. Q. Wasn't you as close to the regular filing box in which you filed these other election certificates of nomination as you were to the safe, and would it not have been as easy to have placed them in the proper filing box?

A. I was not as near the box. I wrote this filing August 24th, 1917, on the safe and just opened the door and stuck

them back in the safe. Q. On November 17th, 1917, when Mr. Hanberry asked you for a copy of the certificate of nomination of Mr. G. Frank Walthal, and after you had been unable to find it, if you didn't make this statement to Mr. Hanberry, in the presence and hearing of John F. Davis, Wall Vinson and other witnesses, that the certificate of nomination of Mr. G. Frank Walthal was filed in your office on the day after the Republican candidates filed their certificates of nomination with you, that you knew it had been filed because you wrote it yourself and signed it?

A. I don't know who was present; I made the statement to Mr. Hanberry that it was possibly the next day or a few days after; then as to saying I wrote it myself, I don't know anything about it.

Q. Will you say that you did not say to Mr. Hanberry on that occasion that you did write that certificate of nomination and sign it yourself?

A. I will, because I would not had to sign it if I had written it.

Q. As clerk of the Trigg county court you have custody of the books and records of the board of election commissioners of Trigg county, do you not?

A. I have. Q. Does that record show whether or not there was any meeting of the board of election commissioners on the 24th day of August, 1917?

A. I don't know whether it does or not.

Q. I will get you to examine the record book of the board of election commissioners of Trigg county and get you to state whether or not there is any record of the meeting of said board on August 24th, 1917?

A. I find none.

Q. I will get you to examine the same record book and state what is the date of the meeting of the Trigg county board of election commissioners at which the returns

from the several precincts at the August, 1917, primary were tabulated? A. Seventh day of August, 1917. Q. I will get you to examine the same record book and state when the record shows the next meeting of the board of election commissioners of Trigg county held after said date? A. September 20th, 1917. Q. I will get you to make a copy of the adjourning order made by the board of election commissioners of Trigg county at its meeting 7th day of August, 1917, and file same with the examiner as part of your deposition by writing your name and this date on the back thereof? A. I will.

Cross-examined. Q. As a matter of fact, Mr. Davis, you have nothing to do with any records made in the book kept by the election commissioners of Trigg county, kept at the present time, do you, except where there is a candidate for office before the primary election where he has no opposition? A. I do not, except where the candidates brought some certificates for me to record; they were not necessary, but they insisted and I recorded a couple of them. Q. What I wanted to know, was there any record made by you in the records of the election commissioners except where you issue a certificate to a candidate having no opposition? A. None whatever. Q. And in truth and in fact no Republican candidate in Trigg county at the August primary election, 1917, had any opposition for a county office? A. None. Q. The election commissioners of Trigg county did meet in Cadiz, Trigg county, according to the record for which you are the custodian did meet in Cadiz, Trigg county, Ky., on the 7th day of August, 1917, to canvass the returns as between the Democratic candidates for the various offices for Trigg county, did they not? A. They did. Q. And after that and sixty days prior to the general election the election commissioners did file with you the certificate of G. Frank Waithal of which you have testified about? A. Mr. Atwood, chairman of the board, filed it. Q. Do you know what official position

in Trigg county, if any, H. P. Atwood occupies? A. Sheriff. Q. Do you know what, if any, official position G. G. (or Garland, as we know him) Cunningham occupied in August, 1917? A. He was election commissioner. Q. When Mr. Atwood handed you the certificates of nomination for the various offices for Trigg county I will get you to state whether or not he, as chairman of board of election commissioners, handed you the certificate of nomination signed by himself and one of the other election commissioners for every office in Trigg county where there had been opposition as to the nomination? A. He did. Q. You have no regular book in which you record the certificate of nomination; they are just filed away there in your office, if I understand? A. They are. Q. Mr. Davis, where there is opposition to a candidate for a political office in Trigg county does the records show that his certificate was issued to him on the same day that the votes were tabulated? (Objected to by attorney for contestant.) A. No. Q. Isn't it a fact that where a primary election was held and there are opposing candidates in either of the political parties and when the commissioners finish tabulating the votes that they make out the certificates of nomination and deliver to the successful candidates at his call or at their convenience? (Objected to by attorney for contestant.) A. It is. Q. It is a fact that you had knowledge that G. Frank Walthal was the Democratic nominee for Representative in the Lower House of General Assembly of Kentucky to be voted for at the November election, 1917, and that A. F. Hanberry was the Republican nominee for the same office? A. It is. Q. And you caused each of their names to be printed on the official ballot to be used at the November election, 1917, under the devices of their respective political parties? A. I did. Q. And it is a fact that the election commissioners' record in your office, as certified by the election commissioners, shows that G. Frank Walthal received more votes for the office of Representative from Trigg county

in the Lower House of the General Assembly of Kentucky than A. F. Hanberry received, did he not? A. It does.

Re-examined in chief Q. On August the 7th, 1917, and on August the 24th, 1917, who were members of the Board of Election Commissioners for Trigg county? A. H. P. Atwood, Garland Cunningham and James E. Burnett. Q. On August 8th, 1917, and on August 24th, 1917, what official position in Lyon county, Kentucky, did G. G. Cunningham or Garland Cunningham hold? A. He was a guard at State penitentiary.

W. L. DAVIS.

Also the deposition of Wall Vinson, taken at the same time and place, and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 63 years old, live in Trigg county; got no occupation at present. Q. Were you present in the county clerk's office in Trigg county on the 17th day of November, 1917, at the time that I, Max Hanberry, called on Mr. C. R. Lackey, the deputy county court clerk of Trigg county, and asked him to show me the certificate of nomination of Mr. Frank Walthal for Representative in the Lower House of the General Assembly of Kentucky as the Democratic nominee for said office? A. I was. (Question objected to.) Q. Did you hear Mr. Lackey, on that occasion, make this statement, or in substance this statement: "I have never seen that certificate since I have been in here, and if it was filed it was filed with some of the rest before I became deputy clerk?" A. Yes.

G. W. VINSON

Also the deposition of John F. Davis, taken at the same time and place, and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 55 years old; live in Trigg county, and a farmer. Q. Are you acquainted with C. R. Lackey, the deputy county court clerk

of Trigg county? A. Yes, sir. Q. Were you present on the 17th day of November, 1917, in the county clerk's office in Cadiz, Ky., when I approached Mr. C. R. Lackey and asked him to show me the certificate of nomination of Mr. G. Frank Walthal, the Democratic nominee for a seat in the Lower House of the General Assembly of Kentucky, which had been issued to him by the election commissioners of Trigg county?

A. Yes, sir. Q. Did you or not hear Mr. Lackey on that occasion make this statement to me: "Mr. Walthal's certificate has never been filed in this office unless it was filed before I came in here as deputy clerk?" A. I did.

Cross-examined. Q. Isn't this what Lackey said: "Mr. Walthal's certificate has not been filed in this office since I came in here unless it was filed with some of the others?"

A. No, sir, he did not. Q. Did you stay in the office all the time that Mr. Hanberry stayed in there? A. Yes, sir, I was in there when he came in and was in there for some time after he went out. Q. In fact, you heard the same conversation that was detailed by Mr. Wall Vinson? A. Yes, sir; we were in four feet of each other. Q. In fact, the only conversation you heard between Mr. Lackey, the deputy clerk, and Mr. M. M. Hanberry was the conversation that Mr. Hanberry asked the witness, Wall Vinson, who has just preceded you on the witness stand, wasn't he? A. Yes, sir.

JOHN F. DAVIS.

Also the deposition of Hilson Peal, taken at the same time and place, and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 47 years old; live in Trigg county, and a farmer. Q. Were you an election officer in the North Cadiz voting precinct in Trigg county at the November election, 1917? A. I was. Q. Do you know one Herman Roach, commonly called Muck? A. I do. Q. Did he vote at said election in said precinct? A. He did. Q. Was his ballot marked by the clerk of said election

or not; I mean stamped? A. It was. Q. Was the said Herman Roach sworn by the clerk of the election in said precinct or any officer of said election in said precinct as to whether he was able to properly stamp his ballot or not, before the clerk stamped his ballot for him? A. He was not. Q. Was that ballot placed in the ballot box and after the polls had closed counted with the rest of the ballots? A. It was. Q. How was said ballot voted, that was stamped by the clerk? A. He said he wanted to vote the Democratic ticket. (Question objected to.) Q. After he told the clerk he wanted to vote the Democratic ticket did the clerk stamp the ballot in the presence of the officers of election and cause it to be deposited in the ballot box? A. He did. (Question and answer objected to.)

All the foregoing deposition objected to; without waiving the objection the attorney for the contestee, G. Frank Walthal, proceeds to cross the witness:

Q. How long have you known this boy Muck Roach? A. Could not say exactly how long. Q. You have known him for a number of years, haven't you? A. Yes, I have known him for a number of years. Q. You know he is a half-blind negro, and can hardly get along the street, don't you? A. I don't know as I do. Q. Mr. Peal, you was a Republican election officer and there was another republican election officer in that precinct at the time this man Roach voted, was there not? A. There was. Q. Now if you didn't know that negro boy's sight was so bad that he could not see how to stamp his ballot, why did you permit the election officers to vote the ballot for him? (Objected to.) A. I was sheriff of the election and I thought it was the judges' place to attend to that part of it. Q. Isn't it a notorious fact around the town of Cadiz that this boy Muck Roach is practically blind? (Objected to.) A. I could not say. Q. And wasn't it for that reason that the officers of the election permitted the clerk to vote his ballot because every one of them knew him personally and knew that he could not see? (Objected to.) A. I

could not say. Q. Did Mr. A. F. Hanberry loose anything from the clerk voting that ballot from what the boy said that he wanted to vote? (Objected to.) A. Well, he voted the ballot just as the boy said that he wanted to vote; whether it was a loss to Hanberry I don't know; every man has a right to vote as he pleases. Q. Get you to state as one of the Republican election officers in North Cadiz whether or not every ballot that was voted for A. F. Hanberry was counted for him or not? (Objected to.) A. It was.

Re-examined in chief. Q. Herman Roach has been the hostler for Dr. J. H. Morris for years and frequently rode and drove his spirited horses around the streets of Cadiz, did he not? A. I have seen him drive them.

HILSON PEAL.

Also the deposition of W. T. Ladd, taken at the same time and place and for the purposes stated in the caption, the witness being duly sworn deposes as follows:

Q. State your age, residence and occupation? A. 71 years old; live in Trigg county, and a farmer. Q. Mr Ladd, were you an election officer in the North Cadiz voting precinct in Trigg county at the November election, 1917? A. I was. Q. You remember the occurrence of Herman Roach voting in that precinct of that election? A. Yes, sir. Q. Did the clerk mark or stamp his ballot for him or not? A. Yes, sir. Q. Was he sworn by the clerk or any election officer on that occasion touching his ability to properly stamp his ballot on account of any infirmity before the clerk stamped his ballot for him? A. He was not. Q. Was that ballot, after being stamped by the clerk, deposited in the ballot box and after the close of the polls counted with the other ballots? A. It was. Q. How did the said Herman Roach direct the clerk to stamp said ballot and how did the clerk stamp same; in other words, how was the ballot voted? A. Voted under the Democratic device. Q. Do you mean it was stamped in the circle under the Democratic device? A. Yes, sir. Q. Was Mr. G.

Frank Walthal's name under the Democratic device? A. It was.

All the foregoing deposition objected to and without waiving objection the attorney for G. F. Walthal proceeds to cross-examine said witness.

Q. What political party did you represent in the North Cadiz voting precinct at the November election, 1917? A. Republican. Q. What was your office as an election officer in that precinct? A. Judge. Q. You had known this negro boy, Herman Roach, practically all of his life, had you not? A. I have known him for a long time. Q. You had been an officer of election in the North Cadiz precinct many times, have you not? A. Yes, sir. Q. Now isn't this the fact of how the boy voted at the November election, 1917; didn't he come in the election room and state to the officers of the election that he could not see how to vote his ballot and ask him to vote it, and on that request didn't you, as the Republican judge, without any protest, permit the clerk of the election to stamp the boy's ballot as he directed him to do? A. I did not. Q. Did you make any protest at the time? A. I did, after the ballot was voted, I said he should have been sworn. Q. Was that before or after the ballot had been deposited in the box? A. It was before it was deposited in the box. Q. After you found out how he told the clerk that he was going to vote? A. I spoke and said that he should have been sworn according to law; the ballot was made at the time I spoke. Q. His vote was voted as he asked it to be voted, was it not? A. It was. Q. And Mr. Hanberry received a majority of votes in that precinct for Representative did he not. (Objected to.) A. Yes, sir. Q. Now, Mr. Ladd, if you all didn't know that boy was practically blind and could not see, as he stated to you all that he couldn't see how to vote his ballot, why didn't you object to the clerk voting it without him being sworn before the ballot was voted? A. He made no statement to the officers of the election. I was standing up and didn't notice who

it was coming in to vote and Mr. Burnett spoke and said that I will have to make his ballot and had it wrote out by the time he got to the table. That was the first that I noticed that it was this boy that was blind, and his ballot was stamped before I made the statement that he ought to have been sworn.

W. T. LADD

Adjourned by agreement of parties to meet Tuesday, December 11th, 1917, at the same place, and is further agreed that the advanced notice of the names of the witnesses to be taken is waived.

R. A. MAGRAW,
Notary Public Trigg Co., Ky.

MET PURSUANT TO ADJOURNMENT DECEMBER 11TH, 1917.

Also the deposition of H. P. Atwood, taken Tuesday, December 11th, 1917, at the same place and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 42 years old; live in Trigg county, and am sheriff of Trigg county. Q. How long have you been sheriff of Trigg county? A. nearly four years. Q. Who were the members of the Trigg County Election Board in August, 1917? A. Garland Cunningham, James E. Burnett and myself. Q. When was Garland Cunningham appointed guard at Eddyville penitentiary. and when did he assume the duties of office of guard? A. I don't know. Q. About how long has he been living at Eddyville, Ky.? A. I don't know whether he is living at Eddyville or not; don't think that is his residence; think he is just working there; I do know that he claims this as his residence. Q. How long has he been away from Cadiz, out of Trigg county? A. I don't know. Q. Has it been as much as nine months? A. No, sir. Q. Much as six months? A. Could not say positively about that. Q. Have you seen him in Cadiz,

Ky., since July the 14th, 1917; if so, state on what date you have seen him here? A. I saw him here the first week in August several days, and I saw him here the latter part of August, between the 20th and 30th. Q. I will get you to examine the record book kept by the Board of Election Commissioners of Trigg county and state if the records of your meeting on July 14th, 1917, doesn't show that Mr. G. G. Cunningham wasn't present at that meeting? A. It does. Q. Is it true or not from that same record book that the next meeting held by your board of election commissioners was on July 27th, 1917, and was Garland Cunningham present at that meeting? A. It is true that a meeting was held on the 27th and Mr. Cunningham was not present. Q. Examine your record and see if the next meeting of election board of Trigg county wasn't held on July 30th, 1917, and state whether Garland Cunningham was present at that meeting? A. A meeting was held on July 30th, 1917, and Garland Cunningham was not present. Q. Examine same record book and state if a meeting of Trigg County Election Commissioners was held on August 7th, 1917, and state whether Garland Cunningham was present at that meeting? A. Yes, there was a meeting of that date and Garland Cunningham was not present. Q. Examine the same record book and see and state whether there was any other meeting held by the Board of Election Commissioners of Trigg county until after the new board was appointed and qualified? A. There was a meeting called for the 8th of August, 1917. Q. Was that meeting held on the 8th of August, 1917? A. It was not. Q. Which one of the members of the Board of Election Commissioners of Trigg county was clerk of the board during July and August, 1917? A. I was; I acted as clerk. Q. When did you issue a certificate of nomination as a Democratic candidate for office of Representative to Mr. G. Frank Walthal? A. Some time during the month of August; August 24th. Q. Did you have a meeting of the Board of Election Commissioners of

Trigg county called and held in the city of Cadiz on the 24th day of August, 1917, for the purpose of issuing certificates of nomination for candidates who were nominated at the August primary election? A. Yes, sir. Q. Did you give James E. Burnett and Garland Cunningham notice of that meeting in advance and before the time of meeting? A. I gave Mr. Cunningham notice; I am not sure whether I gave Mr. Burnett notice or not; I tried to. Q. Where was that meeting held? A. We met in the county court clerk's office and retired to the sheriff's room. Q. Did you make a record of that meeting? A. I did not. Q. Why didn't you? A. At that time I was chairman of the local exemption board and there were numbers of registered men in town; they were seeking information concerning rules and regulations of the selective draft act; I neglected at that time to write up the minutes on the commissioner's book and the labors attached to the duties as chairman of that board took every minute of my time and I failed to record the meeting of that board. Q. What time in the day of August 24th, 1917, did you hold that meeting of election commissioners? A. I tried to hold it in the morning, but was at work at it all day, from time to time. Q. Where were you and Mr. Cunningham when you signed Mr. Walthal's certificate of nomination? A. In the office, sheriff's office, in Cadiz, Ky. Q. How did Mr. G. G. Cunningham happen to be in Cadiz August 24th, 1917? A. I don't know; I do know, too; he was there for the purpose of issuing certificates to the nominees. I saw him in Cadiz about the 20th, and told him the 24th we wanted to get together and issue the certificates. Q. Mr. Garland G. Cunningham was not present when the vote of the several precincts from Trigg county were tabulated and the results ascertained on the 7th day of August, 1917, and had not been present at two other meetings of the board of election commissioners held prior thereto, and Commissioner James E. Burnett lived in Cadiz and you had given Mr. Cunningham four days' notice of

this meeting, how was it that you went down in the wilds of Lyon county to get this man Cunningham to certify to the nomination of Frank Walthal when he knew nothing on earth about it, and Mr. James E. Burnett was present in the city of Cadiz? A. He was not present. I did not go into Lyon county, nor send into Lyon county for Mr. Cunningham; he was a resident of Cadiz, as was Mr. James E. Burnett, and the vote of the primary election was tabulated and certified to by the Board of Election Commissioners of Trigg county and was there for the inspection of Commissioner Cunningham. Q. You had four days before the meeting of the board of election commissioners on the 24th of August after you had notified Mr. Cunningham of this meeting, why didn't you notify Mr. James E. Burnett within that time of this meeting? A. It was purely an oversight, if neglected at all; as stated before, my whole time and energy was taken up as chairman of the local exemption board. Q. Did you file the certificate of nomination which you issued to Mr. Walthal with the county court clerk of Trigg county, or did you turn it over to Mr. Walthal, A. I handed it to the county court clerk with the request that he present it to Mr. Burnett for signature and then hand to Mr. Walthal. Q. What date was that? A. August 24th, 1917. Q. Whereabouts were you in the county court clerk's office when you handed it to the county court clerk and made this request? A. I don't remember the exact spot. Q. Can you tell whether it was in the vault or in the main office? A. No, sir; that is one of the details that I could not tell; don't remember. Q. Mr. Atwood, I will ask you if it is not a fact that this certificate of nomination hasn't been issued and filed with the county court clerk since the notice of this contest has been served? A. It is not. Q. Mr. Atwood, I will ask you whether or not it is a fact that in September, along about the 6th day of September, if Mr. James E. Burnett, one of the election commissioners of Trigg county, did not have a conversation with

you in which he said to you that we have failed to issue the certificates of nominations to the persons entitled thereto at the August primary, and did you not state in reply, yes, that is so; we must do it yet, and did you not suggest to Mr. Burnett and say to him, you issue them, and Mr. Burnett said to you, no, you are the chairman; you issue them? A. I remember the substance of that conversation some time in August; I am sure it was not in September. Q. Are you acquainted with one J. C. Humphries? A. Yes, sir; I know him when I see him. Q. State whether or not he was a candidate for the Democratic nomination for sheriff at the August primary, held on the 4th day of August, 1917? A. He was. Q. Before that date had he or not been your regularly appointed and qualified deputy sheriff of Trigg county? A. Not immediately before that date; he resigned as deputy sheriff as prescribed by law. Q. The said Charles Humphries had for several years, practically up until the August primary, 1917, been one of your acting deputy sheriffs had he not? A. He had from the time I was sworn in as sheriff until he resigned prior to the August primary, 1917. Q. Do you know the date he resigned? A. Don't know the exact date; the records in the clerk's office will show. Q. Order book No. 0 of the Trigg county court, page 285, shows that said J. C. Humphries resigned as your deputy on July 31st, 1917. On the payment to the county court clerk for a copy of this order by contestant will you file that copy with the examiner by writing your name and this date thereon and make it a part of your deposition? A. I don't think I could, for he resigned prior to that date; yes I will file it, but there must be an error in that date. Q. Whatever date that order of the Trigg county court shows is a correct date is it not? A. I can't say about that; if it is the 31st of July it is not the correct date.

The contestee, G. Frank Walthal objects and accepts every question and answer regarding J. C. Humphries' em-

ployment by witness as the deputy sheriff or the date of his resignation as having absolutely nothing to do with the election in November, 1917, between A. F. Hanberry and G. Frank Walthal for the office of Representative.

Cross-examined. Q. Mr. Atwood, at the various meetings of the Board of Election Commissioners of Trigg county during the months of July and August, 1917, about which you have been asked in your examination-in-chief, I will get you to state if there was not always two of the election commissioners present at each of those meetings? A. There was. Q. Mr. Atwood, I will get you to state if the records of the election commissioners of Trigg county do not show that G. Frank Walthal was the Democratic nominee of the office of Representative from Trigg county at the election to be held November the 6th, 1917, and if James E. Burnett and yourself did not so certify the record, Walthal having received the highest number of votes August 4th, 1917, at the primary election for the purpose of selecting nominees? A. The records show that Mr. Frank Walthal received the highest number of votes cast at the primary election held August 4th, 1917, for Representative and is the regular nominee of the Democratic party, and is certified to by Mr. James E. Burnett and myself? Q. Mr. Atwood, state if the records of the election commissioners of Trigg county do not show that at the regular election, held in Trigg county November the 6th, 1917, G. Frank Walthal, the Democratic nominee, received the highest number of votes cast for the office of Representative in the next General Assembly of Kentucky from Trigg county, and if the record is not so certified by you and Mr. James E. Burnett, the Republican election commissioner? A. The record shows that Mr. G. Frank Walthal received the highest number of votes cast for Representative and is so certified to by Mr. James E. Burnett, Mr. Alex Wallace and myself. Q. Who is Mr. Alex Wallace and what position did he hold at the time of the tabulation of the votes

cast in Trigg county at the November election, 1917? A. He was the Democratic election commissioner for Trigg county. Q. I will get you to state where Garland Cunningham lived prior to the time that he began work as a guard at the Eddyville penitentiary? A. He lived in Cadiz, Trigg county, Kentucky. Q. Had he always lived in Trigg county, Kentucky? A. All his life. Q. I will get you to state if since he began work at Eddyville he has regularly returned to Trigg county at each election to cast his vote? A. He has. Q. I will get you to state if he is not listed in Trigg county for taxation? A. He is. Q. Mr. Atwood, how long have you known Frank Walthal as a citizen of Trigg county? A. Something like six years. Q. For that length of time has he been a taxpayer of Trigg county? A. He has.

Re-examined in chief. Q. In July, the first of July, 1917, you knew that Garland G. Cunningham, one of the election commissioners of Trigg county at that time had accepted the position of guard at Eddyville state penitentiary, and held that place and was holding same from that time on up to and including the month of August, 1917, did you not? A. I did.

H. P. ATWOOD.

Also the deposition of James E. Burnett, taken at the same time and place and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation. A. 60 years of age, reside in Cadiz, Trigg county, and am not engaged in any business. Q. Were you or not one of the election commissioners of Trigg county in July and August, 1917? A. I was. Q. I believe you also are one of the election commissioners at this time? A. I am. Q. As one of the election commissioners of Trigg county did you help to tabulate and count the returns from the several precincts of Trigg county immediately after the August, 1917, primary?

A. I did. Q. Were you in Cadiz, Ky., on or about the 24th day of August, 1917? A. I was. Q. State, if you know, whether you were in Cadiz, Ky., all the time from the 20th of August up to and including the 24th of August, 1917? A. I was. Q. Did you receive any notice from Mr. H. P. Atwood, sheriff of Trigg county, and chairman of the Trigg County Board of Election Commissioners of the meeting of said board to be held on the 24th day of August, 1917? A. I did not. Q. Did you know of such meeting? A. I did not. Q. State whether or not on or about the 6th day of September, 1917, you had a conversation with H. P. Atwood, sheriff of Trigg county, and chairman of Board of Election Commissioners of Trigg County in regard to issuing certificates of nominations to the successful candidates at the August primary, 1917, in which you stated to him that we have not issued certificates of nomination, and he said, yes, that is so, or in substance to that conversation? A. I did. (Question and answer objected to by attorney for contestee.) Q. Did Mr. H. P. Atwood make that statement to you or in substance that statement on that occasion? A. He did. (Question and answer objected to by attorney for contestee.) Q. Have you any means by which you fix the date of that conversation, if so state from what facts or what circumstances that you fixed the date? A. I have; the thirty days had expired from the primary election and I called his attention to it. Q. Do you know Garland G. Cunningham? A. Yes, sir. Q. Do you know about the time he left Cadiz to go to Eddyville to take charge of his position as guard at the penitentiary at that place? A. It was several months before that, the primary. Q. Did you see him in town, Cadiz, Ky., any time about the 24th day of August, 1917? A. I don't think I did.

Cross-examined: Q. Did you see Garland Cunningham in Cadiz on the 6th day of November, 1917? A. I did. Q. Did you see him here the 20th day of August, 1917? A. I have no recollection of him being here on that date. Q.

When did Garland Cunningham's wife quit working up here at the telephone office? A. Not knowing I can't state. Q. Wasn't it the latter part of August? A. I don't know. Q. You won't say that Garland Cunningham didn't take his vacation from the 20th of August to the first of September, or about that and stay in Cadiz and among his relatives the whole time will you? A. I can't state that I know nothing about his vacation. Q. Mr. Burnett, during all the meetings of the Board of Election Commissioners of Trigg County during the months of July and August, 1917, at which you and Mr. Atwood were present, there were absolutely no disagreements between you all as election commissioners were there? A. None whatever. Q. So then so far as the transaction of the business at those meetings a third commissioner was absolutely unnecessary was he not? A. Well, he was not there once or twice; I don't know whether it was necessary. Q. Mr. Burnett, the returns from the various voting precincts of Trigg county at the primary election held August 4, 1917, as tabulated showed that G. Frank Walthal received the highest number of votes for the Democratic nomination for the office of representative, did they not? A. They did. Q. Mr. Burnett the returns as certified by the officers of the election of the various voting precincts of Trigg county and the questioned and rejected ballots from those precincts as recounted by the Election Commissioners of Trigg County showed that E. Frank Walthal, the Democratic nominee for the office of representative, had received more votes than A. F. Hanberry, the Republican nominee for that office at the general election held in Trigg county November the 6th, 1917, did they not? A. They did as certified by the election officers. Q. Did they not after the questioned and rejected ballots had been counted by the election commissioners? A. They did.

JAMES E. BURNETT.

Adjourned to meet tomorrow morning, December 12, 1917.

R. A. MAGRAW, *Notary Public*.

Met pursuant to adjournment, December 12th, 1917.

Also the deposition of Max Hanberry, taken December 12, 1917, at the same place, and for the purposes stated in the caption, the witness being duly sworn, deposes as follows:

Q. State your age, residence and occupation? A. 63 years old, live in Cadiz, Ky., and am a lawyer. Q. Mr. Hanberry, did you go to the office of W. L. Davis, county court clerk of Trigg county, on November the 17th, 1917, and ask him for a copy of the certificate of nomination of G. Frank Walthal as the Democratic nominee for the office of representative? A. I did. Q. I will ask you whether or not it is true that after Mr. W. L. Davis, county court clerk of Trigg county, had looked for the certificate of nomination of Mr. G. Frank Walthal as the Democratic nominee for representative and could not find same, that he said to you, these words or in substance these words: "The certificate of nomination of Mr. Walthal was filed in my office on the day after the Republican candidates filed their certificates of nomination; I know it was filed because I wrote it myself and signed it." A. Yes, sir.

Cross-examined. Q. Mr. Hanberry, was Mr. Davis referring to the filing of the certificate on the back thereof as having been written by him? A. I do not know what he was referring to, Mr. Kelly; I only know that I asked him for a copy of this certificate and he made this statement, or in substance to this, after having looked through his office for it: "I can't find it, but I know it was filed; I remember writing it and signing it." Q. Mr. Hanberry, are you familiar with W. L. Davis' hand writing? A. I am. Q. I will get you to examine the paper filed by him with his deposition in this proceeding December 3, 1917, and say if this endorsement on the back thereof is not in the hand writing of W. L. Davis:

"G. Frank Walthal, filed Aug. 24, 1917, W. L. Davis, Clerk?" (Question objected to by attorney for contestant.) A. It is. Q. And that endorsement in the hand writing of W. L. Davis is on certified copy of the certificate of G. Frank Walthal for the nomination for the office of representative from Trigg county, which the contestant had Mr. Davis filed with his deposition December 3, 1917, is it not? (Question objected to by attorney for contestant.) A. Yes, sir.

Re-examined in chief. Q. When Mr. Davis told you that he had written and signed Mr. Walthal's certificate of nomination himself, did you understand Mr. Davis to have reference to his notation on the back of the certificate showing the date of filing same, or to the fact of his having written and signed the body of the certificate? A. I understood him to refer to signing the certificate.

MAX HANBERRY.

State of Kentucky,
Trigg county.

I, R. A. Magraw, Notary Public within and for the county and State aforesaid, certify that the foregoing depositions of A. F. Hanberry, C. R. Lackey, W. L. Davis, G. W. Vinson, John F. Davis, Hilson Peal, W. T. Ladd, H. P. Atwood, James E. Burnett and Max Hanberry, were taken before me at the time and place stated in the caption; that said witnesses were duly sworn before giving them; that they were written by me in their presence, and read to and subscribed by them in my presence. The contestant was present in person and by his attorneys, G. P. Thomas and Max Hanberry, and the contestee was present in person and by his attorneys, John W. Kelly, John T. King and W. H. Hooks. Given under my hand this 12th day of December, 1917.

R. A. MAGRAW, *Notary Public*.

(Seal)

My commission expires January 14, 1920.

The notice of contest and papers relative thereto in S. F. Day, contestant v. Edward L. Allen, contestee, are as follows, viz.:

IN THE GENERAL ASSEMBLY OF KENTUCKY

S. F. Day Contestant

vs.

Notice and Petition of Contest.

Edward L. Allen Contestee.

The contestant, S. F. Day, says that he is forty-four years of age, and resides at Ivis, Knott county, Kentucky, in the 97th Legislative District of Kentucky, composed of the counties of Floyd, Knott and Letcher; that he has resided in Knott county, Kentucky, all of his life, and possesses all of the qualifications necessary to entitle him to hold the office of Representative in the General Assembly of Kentucky. He states that he was regularly nominated as the Democratic candidate for the office of Representative in the General Assembly of Kentucky at the primary election held in said 97th Legislative District of Kentucky, held August 4th, 1917, and was awarded a certificate of nomination for said office and was nominated without opposition in said primary election. That a certificate of nomination was issued to him as the Democratic nominee for the office of Representative in said district and that he filed his certificate of said nomination with the Secretary of State of Kentucky and his name was certified by the Secretary of State of Kentucky to the various county clerks of Floyd, Knott and Letcher counties, composing said Legislative District and his name was caused by said clerks of said counties of Floyd, Knott and Letcher, composing said Legislative District, to be printed upon the official ballots used at the November election, held November 6th, 1917, in said counties and Legislative District as the nominee of the Democratic party for said office of representative in said district and was voted for at said election for said office.

The contestant states that contestee, Edward L. Allen, was the Republican nominee for the office of representative in said district and that his name appeared upon the official ballots used in said counties and said district at the election held November 6th, 1917, as the Republican nominee for said office of Representative in said district and that the contestant and contestee were the only candidates voted for, for said office in said Legislative District.

The plaintiff states that he has complied with the provisions of chapter 13 of the Acts of the General Assembly of 1916, commonly known as the Corrupt Practice Act, in the primary and general election held in said Legislative District, and that he did not violate the provisions of said act in letter or in spirit in the August primary of 1917 or the general election held Nov. 6th, 1917, and that he has filed the statements required by said act to be filed and will file within the time required by law the statements required to be filed after the November election.

The contestant states that there were cast, counted and certified by the various precinct election officers of Floyd, Knott and Letcher counties and certified to the Boards of Election Commissioners of said respective counties and by the board of said election commissioners of said respective counties, canvassed, counted and certified to the Board of Election Commissioners of Floyd County, Ky., the county having the largest population in said Legislative District No. 97, 3848 votes for this contestant for the office of Representative from said Legislative District No. 97, and for the contestee 4298 votes for said office of Representative, giving the contestee an apparent majority of 450 votes over this contestant in the race for the office of Representative in said Legislative District at the election held in said District on November 6th, 1917. That the board of election commissioners on the day as required by law of Floyd county, Kentucky, met and canvassed, counted and cer-

tified said votes as aforesaid for this contestant and the contestee and awarded the contestee the certificate of election for said office of Representative from said district composed of the counties of Floyd, Knott and Letcher, and being Legislative District No. 97 of the State of Kentucky.

The contestant, S. F. Day, states that he received at the election held November 6th, 1917, in the counties of Floyd, Knott and Letcher, composing the 97th Legislative District of Kentucky, a majority of the legal votes cast at said election held in said counties composing said Legislative District in the race between himself and the contestee, Edward L. Allen, for the office of Representative from said Legislative District in the General Assembly of the State of Kentucky; that more votes were cast for him in said race for Representative from said Legislative District at said election than were counted and certified for him as aforesaid; and that the contestee, Edward L. Allen, received a less number of votes for Representative from said district than were counted and certified for him as aforesaid and that the apparent majority of the contestee, Edward L. Allen, is made up from votes counted and certified for him which were never cast for him, and by other illegal votes cast, counted and certified for him as will be more particularly hereinafter set out.

The contestant, S. F. Day, states that in Martin Precinct No. 15, Floyd county, Kentucky, in said Legislative District No. 97, at the election held Nov. 6th, 1917, there was counted for him 27 votes for the office of Representative of the 97th Legislative District of Kentucky and there was counted for the contestee, Edward L. Allen, for said office of Representative for said Legislative District 419 votes from said precinct; that the election officers of said precinct at said so-called election certified said votes as aforesaid to the Board of Election Commissioners of Floyd County, Kentucky, and that said votes so counted and certified for the contestee go to make up the total vote counted and certified for him as afore-

said. He states that the certificate of the precinct election officers of said precinct, as certified by said precinct election officers at the election held November 6th, 1917, in said county and Legislative District as to the votes cast in the race between this contestant and the contestee for the office of Representative from said Legislative District is false and fraudulent and does not show the actual result of the election held in said precinct in the race for the office of Representative in said Legislative District. He states that the election officers in said Martin Precinct No. 15 in said county and Legislative District corruptly, wilfully, maliciously and with the fraudulent intent and design of depriving this contestant of a great number of votes cast for him in said precinct for the office of Representative from said Legislative District falsified the returns of the election from said precinct in the race for Representative between this contestant and the contestee for the office of Representative for said Legislative District. He states that he believes and charges to be true that an honest count of the legal votes cast in said precinct between himself and the contestee would give him a majority of at least 100 votes; that said Martin Precinct is a strong Democratic precinct and has an actual majority of over 100 Democratic voters residing therein legally qualified to vote in said precinct and he believes and charges to be true that he actually received at said election in said precinct a majority of at least 100 votes over the contestee in the race for Representative from said Legislative District at said election. He states there is about 300 legal voters in said precinct and that there was only 310 ballots actually used at said election in said precinct. He states that the precinct election officers in said precinct at said election entered into a conspiracy with the contestee, Edward L. Allen, and others, to steal the election in this precinct and that to carry out this conspiracy the contestee, Edward L. Allen, together with his friends and supporters and the friends and supporters of the contestee, Edward L. Allen,

with his knowledge and consent, and in violation of the provisions of chapter 13 of the Acts of the General Assembly of Kentucky of 1916 fraudulently and corruptly collected the money on the election grounds in the hands of supporters of contestee, Edward L. Allen, and other candidates at said election, into a jack-pot for the purpose of bribing and using said money illegally in procuring votes for contestee at said election in said precinct. That the contestee, Edward L. Allen and his friends and supporters with his knowledge and consent at said election in said precinct used the money so collected for said jack-pot and bribed therewith great numbers of persons to vote for the said Edward L. Allen and against this contestant for said office of Representative from said district and that a great number of said voters so bribed to vote for contestee as aforesaid did vote for him and the votes of said bribed persons were counted, certified for said contestee and are included in the total vote certified for him as aforesaid.

He charges and believes to be true that at least 50 persons were so bribed to vote for the contestee as aforesaid in said precinct at said election. He states that the election officers falsely, fraudulently and corruptly voted more than 100 ballots in said precinct at said election for contestee, Edward L. Allen for said office of Representative from said Legislative District and against this contestant in the names of fictitious persons and various other persons who were not present at said election and in the names of persons who had already voted at said election in said precinct. He states that all of these ballots so voted for contestee as aforesaid by the election officers were counted and certified for the contestee and are included in the total number of votes certified for him as aforesaid.

The contestant states, charges and believes to be true that the contestee, Edward L. Allen, entered into a conspiracy with the election officers in said precinct at said election and

with other persons for the purpose of stealing said election to procure a duplicate ballot book and this contestant charges and believes it is true that the actual ballots cast by the voters in said precinct at said election between himself and the contestee were never counted and certified but that the ballots actually counted and certified and placed in the ballot box by the election officers were ballots fraudulently and corruptly voted by the precinct election officers in said Martin Precinct at said election from a duplicate ballot book, all of which was done for the purpose of carrying out the conspiracy as aforesaid to steal the election in said precinct.

The contestant states that one Tom Lawhorn, a citizen of Floyd county, Kentucky, and others, were unlawfully and illegally permitted to accompany voters to the door of the room in which said election was held and for the purpose of carrying out the conspiracy entered into as aforesaid to steal and corrupt the voters at said election as aforesaid, said Tom Lawhorn and others would write the name of contestee, Edward L. Allen, and others who had joined in the conspiracy to collect the money into a jack-pot as aforesaid and which said slip of paper would be handed to the officers of the election to show how the voter was to be voted; that the election in said precinct was open and not secret, and that practically all of the voters in said precinct who were supporters and who voted for the contestee voted openly before the board and without being sworn as to their physical inability to cast their votes in secret and without taking any oath at all. He states that the election officers of said precinct at said election, together with contestee, Edward L. Allen, and Tom Lawhorn, wrongfully, unlawfully and with the fraudulent intent and design of stealing the election in said precinct and depriving this contestant of the votes cast for him in said precinct at said election and for the purpose of depriving him of a majority of at least 100 votes in said precinct, took the ballot box from the polling place and removed it about a half a mile to a

room of the Bowling Hotel, at Lackey, Ky., where the pretended and fraudulent count of the alleged vote was made and the fraudulent and corrupt certificate of election from said precinct in the race for Representative from said Legislative District between this contestant and the contestee was fixed up and uttered.

The contestant states that great numbers of persons in said precinct were permitted to vote from two to three times by the election officers at said election and that all the persons so repeating voted for the contestee and against this contestant, and that the votes of these repeaters were counted and certified for the contestee and are included in the total vote certified for him as aforesaid; that the contestee received the votes of at least 50 or more repeaters in said precinct at said election.

The plaintiff states that in this precinct, as above stated, that he was fraudulently and wrongfully deprived of at least a majority of 100 of the votes cast in said precinct at said election and that if there had been an honest count of the vote as actually cast by the voters who had a legal right to vote in said precinct he would have been certified a majority of at least 100 votes from this Democratic precinct. He states that none of his friends or supporters in said election at said precinct were on the board of election officers or in the voting room and that he is unable to get definite information from election officers as to what actually occurred at said precinct at said election other than as stated herein, which information he obtained from friends on the outside, and is unable to make the charges as to said precinct more definite and certain. But he charges and believes to be true that all of the votes cast for contestee in said precinct at said election were cast openly and before the election officers without any of said voters being sworn as to their inability to vote in secret and without being sworn at all, and he charges and believes that not more than 75 to 100 votes were actually cast for contestee, Edward

L. Allen, in said precinct at said election for the office of Representative from the 97th Legislative District of Kentucky.

The contestant states that in the various other precincts of Floyd county, Kentucky, at said election in said Legislative District No. 97 that there was cast, counted and certified for the contestee, Edward L. Allen, illegal votes as follows: the votes of 500 persons who were permitted to and did vote for contestee in the various precincts of Floyd county openly and before the board of election officers in said various precincts without being sworn as to their physical inability to vote in secret and without being sworn at all; the votes of 250 persons who were non-residents of Floyd county, Kentucky, and of said Legislative District at the time of said election and who had not resided in the precinct in which they voted 60 days, nor in Floyd county 6 months nor the State of Kentucky one year immediately preceding said November election; the votes of 100 repeaters who were permitted to vote in the various precincts of Floyd county at said election by the election officers in said precincts more than once for the contestee. That the votes of all of these illegal voters above named were cast, counted and certified for the contestee and go to make up the total number of votes certified for him as having been received by him in said Legislative District as aforesaid at said election.

The contestant states that in the various precincts of Letcher county, Kentucky, at said election in said Legislative District No. 97 that there were cast, counted and certified for the contestee, Edward L. Allen, illegal votes as follows: the votes of 400 persons who were permitted to and did vote for contestee for said office of Representative from said district at said election openly and before the election officers of said various precincts being sworn as to their physical inability to vote in secret and without being sworn at all; the votes of 250 persons who were non-residents of Letcher county, Kentucky, and of said Legislative District at the time

of said election and who had not resided in the precinct in which they voted 60 days nor in Letcher county 6 months nor the State of Kentucky one year immediately preceding said November election; the votes of 100 repeaters who were permitted to vote in the various precincts of Letcher county at said election by the election officers in the various precincts of said county more than once for the contestee. That the votes of all of these illegal voters above named were cast, counted and certified for the contestee and go to make up the total number of votes certified for him as having been received by him in said Legislative District as aforesaid at said election.

The contestant states that in the various precincts of Knott county, Kentucky, at said election in said Legislative District there were cast, counted and certified for the contestee Edward L. Allen, — ballots, cast by persons who were permitted to and did vote for contestee for said office openly and before the precinct election officers in said various precincts of said county and without being sworn as to their physical inability to vote in secret and without being sworn at all. That all of the votes of said persons so voting were cast, counted and certified for contestee and are included in the total vote certified as having been received by contestee at said election in said Legislative District.

The contestant states that the contestee, Edward L. Allen, and his friends and supporters, with his knowledge and consent, have been guilty of flagrant violations of the Corrupt Practice Act, or chapter 13 of the Acts of 1916; that by reason of said violations of the Corrupt Practice Act by contestee and his friends and supporters with his knowledge and consent at said November election, held in said Legislative District, the contestee, Edward L. Allen has rendered himself ineligible to hold the office of Representative in the General Assembly of Kentucky for the term of two years beginning the first Tuesday after the first Monday in January, 1918.

The contestee, Edward L. Allen, and his friends and supporters, with his knowledge and consent, contributed money to be used at said election held in said district November 6th, 1917, for the purpose of corrupting the voters in said district to vote for the contestee, and that the money so contributed by contestee and by his friends and supporters with his knowledge and consent, was by them used with knowledge and consent of contestee in said Legislative District at said election for the purpose of bribing and corrupting the voters to vote for the contestee and for the purpose, as contestant believes, and charges to be true, of corrupting election officers in Martin Precinct No. 15, of Floyd county, Ky., in the furtherance of the conspiracy, as herein before charged, as to the conduct of the election in said precinct.

Wherefore, the contestant prays that this notice of contest and grounds therefor be referred to a committee of the General Assembly of Kentucky for trial and investigation; prays that he be adjudged to have received a majority of the legal votes cast at the election held in the 97th Legislative District of Kentucky on November 6th, 1917, and that he be adjudged elected to the office of Representative from said district at said election, and that he be entitled to hold the office of Representative from said district for the term of two years beginning on the first Tuesday after the first Monday in January, 1918, and that he be entitled to receive the emoluments of said office, for said term of two years; prays that the certificate of election awarded to contestee be cancelled and held for naught; prays for all relief that he is entitled to herein and for his cost herein expended.

Given under my hand this November 24th, 1917.

S. F. DAY.

J. C. HOPKINS,

STEALTEN & STEPHENSON,

Attorneys for Contestant.

STATE OF KENTUCKY,
COUNTY OF FLOYD, *Sct.*

The contestant and affiant, S. F. Day, says that the statements in the foregoing notice and petition of contest are true, as he believes.

S. F. DAY.

Subscribed and sworn to before me by S. F. Day on this the 24th day of November, 1917.

W. J. MAY,
Notary Public Floyd County, Kentucky.

(Seal)

Executed by delivering a true copy of this notice and petition of contest to contestee, Edward L. Allen, this the 26th day of November, 1917.

O. H. STUMBO,
Sheriff of Floyd County, Kentucky.
By J. B. JONES, *D. S.*

Received through the U. S. Mail, sealed, January 9th, 1918, opened and filed January 9th, 1918.

Att.: ELI BERRY,
Chief Clerk House of Representatives.

Executed by delivering a true copy of this notice and petition of contest to contestee, Edward L. Allen, this the 26th day of November, 1917.

O. H. STUMBO,
Sheriff of Floyd County, Kentucky.
By J. B. JONES, *D. S.*

GENERAL ASSEMBLY OF KENTUCKY.
HOUSE OF REPRESENTATIVES.

S. F. Day Contestant.

vs.

Order

Edward L. Allen Contestee.

It appearing to the committee, from affidavits filed with it, that the contestant herein has been unable to procure the tes-

timony of certain witnesses, whose testimony he considers necessary to the proper presentation of his contest, therefore it is ordered that.....of
..... is hereby appointed special commissioner of this committee to take the depositions of the following named witnesses, namely: John Sutton, Ed. Sutton, J. H. Conley, E. P. Collins, M. E. Martin, S. W. Johnson, H. R. Johnson, I. H. Hatfield, Henry Moore and such other witnesses as may be called by the contestant to give their depositions.

At the taking of such depositions the contestee or his attorneys shall be given reasonable notice in writing of the time and place of the taking of such depositions. The special commissioner of the committee herein appointed shall have power to subpoena or designate some one to subpoena witnesses and shall have power to administer to each witness an oath and the contestee shall have full opportunity to cross-examine said witnesses. The testimony of said witnesses shall be reduced to writing.

Said commissioner, upon the conclusion of the taking of said depositions, shall seal same and transmit them to the chairman of this committee.

Done by order of committee.....

.....
Chairman of Contest Committee.

S. F. Day.....Contestant

vs. Motion.

Edw. L. Allen Contestee

In and before the General Assembly of Kentucky:

Comes now the contestant, by counsel, and moves the committee to grant him an extension of time and appoint a sub-committee to go to Floyd county, Ky., to hear additional proof in the above styled cause and in the event the committee can not go it asks to send an official stenographer to take

the depositions of sundry witnesses and a sergeant-at-arms to summon said witnesses. Contestant gives as his reasons for so doing that he has been unable to secure the services of a stenographer in Floyd county to take the proof in this case which is fully explained in the affidavit of the contestant, S. F. Day and John Caudill, which are filed herewith and made a part hereof.

Wherefore he asks the ruling of the Honorable Committee.

S. F. Day Contestant.

vs. Affidavit of S. F. Day.

Edw. L. Allen Contestee.

The affiant and contestant, S. F. Day, says:

That on December 15, 1917, he had notice served on the contestee, Edw. L. Allen, that he would, on December 17, 1917, at the Prater Hotel, Lackey, Ky., proceed to take the depositions of sundry witnesses to be read as evidence in the above styled action in behalf of the contestant and that one Claude Stevens, a notary public for Floyd county, Ky., had promised to be there on this date to take the said proof for him; that they met at said place on this date and that the said Stevens failed to appear, and he being unable to secure the services of any other stenographer or officer qualified to take said depositions he was compelled to adjourn and continue said taking at this place until the 26th day of December, at which time the said Claude Stevens again promised to be present, and take said depositions, but, as before, failed to appear and said taking was then continued until December 27, at 1:00 o'clock p. m., at which time we were able to secure the services of one W. M. Goebel until noon on December 29th, at which time the said Goebel was compelled to stop the taking of said depositions and contestant was compelled to continue the taking of said depositions until January 2, 1918, at which time one Bascom Clark, a notary public for Floyd

county, promised and agreed to be present and continue the taking of said depositions. Affiant says that he went to Lackey on the said date and the said clerk failed and refused to take said depositions and gave as his reasons for so doing that one A. J. May, who is a brother-in-law of the contestee, Edw. L. Allen, had just given him a call over the telephone telling him that he had received a telegram from camp Zachary Taylor, at Louisville, Ky., addressed to said Clark, which required him (Clark) to report at once to the camp headquarters for duty.

Affiant says that he has used due diligence in trying to have this case prepared but for the above reasons has been unable so far to do so and he is not ready for trial in this case.

Affiant further says that on January 7th, he saw the said Bascom Clark in the town of Prestonburg, Floyd county, Ky., and that he was informed that said Clark had never reported to camp Taylor and had never been required to do so and that he was informed that the said A. J. May called the stenographer away under a false report for the purpose of keeping him from taking the said depositions.

S. F. DAY.

Subscribed and sworn to before me by S. F. Day this 8th day of January, 1918.

STERLING B. THORNTON,

Notary Public Franklin County, Kentucky.

My commission expires March 15, 1918.

S. F. Day Contestant.

vs. Affidavit of John Caudill.

Edw. L. Allen Contestee.

The affiant, John Caudill, says:

That he is the attorney for the contestant, S. F. Day, and that on December 18th he met the said contestant at Lackey, Kentucky, for the purpose of taking the depositions in the

above styled action and that they were unable to secure the services of any stenographer to take the said depositions and that the taking of said depositions at this place was continued until the 26th day of December, at which time one Claude Stevens, a notary public for Floyd county, promised and agreed to be present and take his depositions; that on said date he (affiant) returned to Lackey and the said Stevens failed to appear and the depositions were prevented from being taken on said date; that on December 27th, 1917, he secured the services of one W. M. Goebel, to take said depositions but was unable to secure the services of any officer to summon any witnesses until the 28th, and only two witnesses appeared that were then summoned, and that he proceeded to take said depositions by persuading the witnesses to voluntarily give their depositions and that they continued to take said depositions until December 29th.

Affiant says that the contestee, Edw. L. Allen, and one Mr. Mayo were present at said taking and that affiant was unable to get many witnesses to give their depositions because of the fact that the said Edw. L. Allen and his attorney, Mr. Mayo, would advise the witnesses not to give their depositions and would tell them that this affiant could not compel them to do so and that they were taking a choice between him and the contestant, S. F. Day, when they volunteered to do so.

Affiant says that he was unable to secure the services of the said Goebel for any further taking and that said taking was continued until January 2, 1918, at which time one Bascom Clark, a notary public for Floyd county, promised to be at Lackey, Ky., and continue the taking of said depositions; that he went to Lackey on said day and found the said Clark there and had a number of witnesses present to give their depositions and that just immediately before the taking of said depositions was to begin the said Clark was called to the telephone and when he returned he informed this affiant that he would be unable to take any depositions because of the fact that one

A. J. May, who was a brother-in-law to the contestee, Edw. L. Allen, had just told him that he had received a telegram from the commanding officer at Camp Zachary Taylor, Louisville, Ky., requiring said Clark to report at once for duty at said camp.

Affiant says that he is informed that the said Clark did not go to Camp Taylor and that said A. J. May had just called him away to stop the taking of said depositions.

Affiant further says that he has made an effort to secure the services of most every stenographer in Floyd county to take the depositions in the above styled cause but that he has been unable to secure the services of any of them to complete the taking of the depositions.

JOHN CAUDILL,

Subscribed and sworn to before me by John Caudill this 8th day of January, 1918.

STERLING B. THORNTON,

Notary Public Franklin County, Kentucky.

My commission expires March 15, 1918.

GENERAL ASSEMBLY OF KENTUCKY.

S. F. Day Contestant.

vs.

Affidavit.

Edward L. Allen Contestant.

The affiant, S. F. Day, says in addition to affidavit already tendered herein, that the testimony of John Sutton, Ed. Sutton, J. H. Conley, E. P. Collins, M. E. Martin, S. W. Johnson, H. R. Johnson, I. H. Hatfield, Henry Moore and several other witnesses, whose names he cannot now recall, are important to him in the trial of the above contest; that they are material witnesses; that their testimony is not supplied or duplicated by that of any other witnesses taken; that the testimony of these witnesses was not taken, by reason of the facts set out in his first affidavit, tendered at the same time that this affidavit

is tendered; that he is asking the committee to exercise the power it has of having this testimony taken, not for purposes of delay, but that justice may be done, and he files this affidavit in support of his motion for the committee to hear this testimony by sub-committee, a part of this committee, or to designate an official stenographer to take the testimony of witnesses, at Lackey and Melvin, Kentucky, or at Prestonsburg, or at whatever other point in said district that may be most convenient for the witnesses, and the least expensive in the contest. He also urges that a sergeant-at-arms, with power to summons witnesses, be appointed to produce the witnesses before the official stenographer, in order that their testimony may be taken.

S. F. DAY.

Subscribed and sworn to before me this the 22nd day of January, 1918.

(Seal)

DALLAS BRIGHTWELL.

My commission expires January 18, 1920.

The Board of Election Commissioners met pursuant to adjournment at court house in Prestonsburg, Ky., on Monday, November 19, 1917. Present, O. H. Stumbo, H. H. Fitzpatrick and A. L. Allen for purpose of canvassing the election returns in race for Representative of 97th Legislative District. S. F. Day, candidate for Representative running on Democratic ticket received 1,622 votes in Floyd county, 1,473 votes in Knott county, 753 votes in Letcher county; Edward L. Allen, candidate for Representative running on Republican ticket received 2,297 votes in Floyd county, 487 votes in Knott county, and 1,514 votes in Letcher county.

State of Kentucky,
Floyd County.

I, J. N. Harris, clerk of the county court, for the county and State aforesaid, do hereby certify that the above and foregoing is a true and correct copy of the order made by the

Election Commissioners as appears of record in my office in records of the County Election Commissioners, at page 271.

Witness my hand, this 19th day of December, 1917.

J. N. HARRIS, Clerk.

By A. L. Harris, D. C.

BEFORE THE GENERAL ASSEMBLY OF KENTUCKY.

Samuel F. Day *Contestant*,

vs. Depositions for Contestant.

Edward L. Allen *Contestee*.

The deposition of Samuel F. Day and others, taken at the law office of Claude P. Stephens, in the city of Prestonsburg, Floyd county, Kentucky, on December 19th, 1917, to be read as evidence on behalf of the contestant on the trial of an action pending before the General Assembly of the State of Kentucky, at Frankfort Kentucky, wherein Samuel F. Day is contestant and Edward L. Allen is contestee.

The witness, Samuel F. Day, being of lawful age and by me first duly sworn, testified as follows:

Q. State your age, residence and occupation? A. Forty-five years old; residence, Ivis, Knott county, Kentucky, and traveling man. Q. What was your occupation before you became to be traveling salesman? A. I was a farmer and teacher. Q. Were you a candidate for Representative in the Ninty-Seventh Legislative District composed of the counties of Knott, Floyd and Letcher at the November election, 1917? A. Yes, sir. Q. On what ticket? A. Democratic ticket. Q. Who was your opposing candidate? A. Edward L. Allen. Q. On what ticket? A. Republican ticket. Q. Were there any other candidates for this office at this election? A. No, sir. Q. In this election did you in any way violate the provisions of the act of the General Assembly of 1916, commonly known as the Corrupt Practice Act? (Contestee, by counsel, objects.) A. No, sir. Q. Did you file your election statements before and after the November election as re-

quired by this act? A. I mailed the statements. Q. Well, you filed them, did you? A. Yes, sir. Q. Did you also file your statements of your expenditures before and after the primary in August, 1917? (Contestee, by counsel, objects.) A. Yes, sir. Q. How long have you been a resident of the State and of the Legislative District named herein? A. All my life, forty-five years.

Cross-examination by A. J. May. Q. Mr. Day, I believe you are a resident of Knott county, Kentucky? A. Yes, sir. Q. Who was in charge of and managing your campaign in Floyd county during the election? A. My brother. I told my brother to take charge of it. I had sick folks at home. I was over there twice in the campaign and my folks got sick and I told my brother, K. J. Day, to take charge of it for me. Q. That is the Mr. Day known as Kelley Day? A. Yes, sir. Q. He had active management of your interests in this county? A. Yes, sir; I suppose he did. He was over here after I told him that. Q. At any rate you authorized him to look after it? A. Yes, sir. Q. Now, who had charge of it in Knott county, principally? A. Well, on the day of the election I had two men who were at precincts in my interest. One of them was Kelly Day who went up from Floyd county to Caney, and the other one was Cullen Francis. Q. What precinct was Cullen Francis at? A. At Lower Carr. Q. The management of your campaign in Knott county was limited practically to the activities of your brother Kelley Day and Cullen Francis? (Objected to.) A. Well, on the day of the election. The evening before the election or the day of the election was all the work they did. Q. Who had charge and management of your interests as a Democratic candidate in Letcher county? A. I didn't have anybody in charge. I was up there myself. Q. Who was the county chairman of the Democratic county campaign committee in Knott county? A. Mitchell Johnson is county chairman. Q. (Question repeated by stenographer.) A. I don't know who the chairman of the campaign committee is. Q. Who was county

chairman of the county organization; the Democratic organization? A. I reckon Mitchell Johnson is. Q. Is it him or Wiley B. Smith? A. I think it is Mitchell Johnson, I am not sure. Q. Who was chairman of the Democratic county committee of Floyd county? A. I don't know. Q. Did you prior to fifteen days before the primary election at which you was a candidate and nominated, have the county chairman, as chairman of the Democratic county committee of each of these counties file statements of expenditures made by them? A. No, sir; I had no opposition. I didn't do anything but file statement of my expenses myself. Q. Did the chairman of the county Democratic committee of Floyd or Letcher counties file statements of expenditures fifteen days before the November election? A. I don't know whether they did or not. Q. Did they or either of them file any statement of expenditures as chairman of the county committee fifteen days after the November election? A. I couldn't tell you. I don't know whether they did or not. Q. Or within thirty days afterwards? A. I don't know. Q. If any of those statements were filed by any of them as chairman of the county committees or by any member of the committee you don't know about? it A. No, sir. Q. Did you previous to the November election file an itemized statement of your expense account with the Secretary of State at Frankfort? A. I mailed, sent it by registered mail. Q. Did you file one with the clerk of the Kentucky Court of Appeals? A. Yes, sir; registered it also. Q. Do you know when you registered it? A. I don't remember the exact date. Fifteen days before the election though. Q. Did you file with the sheriff of Floyd, Knott or Letcher county a copy or any statement of yours or either of the county committees after the election or before? A. I filed a statement or mailed, sent it by registered mail from Hindman, to the sheriff of Floyd county. Q. Did you file one with the sheriff of Knott county? A. No, sir. Q. Did you file one with the sheriff of Letcher county? A. No, sir. Q. Now, did you file any statement with the Sec-

retary of State at Frankfort, Ky., since the November election? A. I registered him the statement—I mailed it. Q. Did you file one fifteen days before the November election? A. I just told you I did awhile ago. Q. Did you file any statement made by your brother Kelley Day as your manager of your campaign in Floyd county? A. (Objected to.) A. No sir. Before I made my statement to the sheriff of this county, I told him to give me a statement of his expenses, and he said he hadn't spent any money. Q. He didn't file any statement? A. No, sir.

Re-direct examination by Mr. Caudill: Q. Now, the work you speak of your brother, Kelley Day, and W. C. Francis (Cullan Francis) doing was done on their own account from the interest they had in your campaign? A. Yes, sir; I told W. C. Francis to go to the polls and speak to every man that went in to vote and ask him to vote for me. Q. Did you have any organized campaign committee or chairman in either of the three counties in your race for Representative? A. No, sir. Q. Mr. Day and Mr. Francis were only strikers sent out for you in the election? A. Yes, sir.

Re-cross examination by Mr. May: Q. State whether or not when your brother Kelley Day left Floyd county and went to Caney precinct in Knott county, he left the management and control of your interests in this county in the hands of Mr. John D. Smith, kinsman of yours? A. I don't know. Q. Have you any information to that effect that he did? A. No, sir; John D. Smith is a very distant kinsman, if he is any kinsman at all. Q. But you did give authority to Kelley Day? A. I asked John D. Smith to go to a precinct for me, and he said he couldn't do it. Q. You don't know whether he finally did go or not? A. I have been informed he did. Q. Do you know what precinct he was at? A. Yes, he went to Martin.

And further deponent saith not.

(Signature waived.)

Also the deposition of Reuben Morgan, taken at the same time and place and for the purposes stated in the caption. The witness being of lawful age and by me first duly sworn, testified as follows:

Q. State your age, residence and occupation. A. My age is 45 the 2nd day of last May; Garret, on Stone Coal near Garret; barber. Q. Were you present in precinct number 15 of Floyd county known as the Martin precinct on the day of the November election, 1917 A. Yes, sir. Q. Were you a voter in this precinct? A. Yes, sir. Q. Did you vote in this precinct on that day? A. Yes, sir. Q. About how much of the time did you stay near the polls on this day in this precinct? A. Well, I believe that I was about the third man on the ground. I remember Mr. Newsom, I believe he told me his name was Newsom, and one more fellow being there when I come. I was about the third man, me and Dick Moore and Hawk Moore, I believe made about six of us there, the first men that was there, my knowledge about it, and I stayed until the polls were closed. Q. How long had you lived in this precinct before the election? A. I have lived there principally—of course I was not here a few months, four or five months—I don't remember—but that has been principally my home for the last three years, something near that time. Q. Are you acquainted with the political complexion of this precinct? A. Well, yes, I ought to know something about, I reckon. Q. Is it Democratic or Republican? A. Supposed to be Democratic—is the way I am informed about it. Q. Do you know S. F. Day and Edward L. Allen the plaintiff and defendant in this action? A. Yes, sir. Very well acquainted with them. Q. Were they opposing candidates at this election for the office of Representative in this district? A. I was informed that, I suppose so. Q. Were their names on the ballot, official ballot of that election? A. Yes, sir. Q. Do you know who was the last man that cast his vote on the day of that election in this precinct? A. Yes, sir. Q. Who was it? A. Well, sir, it was, to

the best of my knowledge, John Bear Stephens—John Stephens, you might say. I suppose Bear is his nickname, I don't know, and Breckenridge Hays, is the two last men that voted in that precinct, in my knowing. Q. Do you know how many votes were cast in this precinct on that day? (Objected to.) A. Well, I don't know—I would only have to go at that, kindly as the saying is, by random, because it is only an idea of my own is the only way I know how to get at that. I have been there several elections. I was there in the primary and the only way I could answer that question is the best of my knowledge—just what I think about the matter is the only way I could answer it. I don't believe there was over three hundred (300) votes cast in that precinct. Q. You were there all day? A. Yes, sir. Q. And interested in the election? A. Yes, sir; I was a little bit interested—not much either. I was kindly a candidate up there myself. Of course, I was interested that much. Q. Do you know the number of votes that is reported to have been cast in this precinct on that day? A. I have heard the official count, but I don't know what the official count was really, but I got a vote kindly off hand from different parties there. Q. What was it? A. I can give it to you the way I got it. That is all I could do. I was just aiming to give you the way it was given in to me. I have got the majorities of the fellows that run. Ed Hill, 33 majority for County Judge; K. Moore, 387 majority; Bill Dingus, 254; Ed Allen 344; J. Martin, 375; and Marion Martin, 200. That was mine and his race. Q. Now, on what ticket were Ed Hill, Joel Martin and Marion Martin candidates? A. Ed Hill was a candidate for county judge on the Democratic ticket, Joel Martin was a candidate for jailer on the Democratic ticket, was the way I was informed about these things, and Bill Dingus was a candidate on the Republican ticket for county attorney. Kendall Moore was a candidate for sheriff on the Republican ticket, and I was a candidate for constable and under the "Razor," you might say independent, or how you want to—People's candi-

date, the "Razor" as my device. Q. Do you know of any men casting their votes more than once at this election? (Objected to.) A. Yes, sir. I know of some votes being cast twice. Q. Where was this election held? A. It was held at what is known as the Wm. Wicker farm, just at the mouth of a branch and on the dividing line between Rob Hays and the Wicker farm owned by the company up there, very near on the line. Q. Is there a voting booth at this place? A. Supposed to be—that is what they call it. Q. Were the votes counted by the officers at this place? A. The people what claimed to be officers counted it. Q. Did they count them at this voting booth? A. No, sir; oh, no. Q. Didn't count them at the place where they voted, you mean? A. Oh, no, no. Q. Where did they take this vote to to count it? A. They taken it to the hotel at Monroe Bowling's at Lackey from the place where the vote was given. Q. About how far is this from the voting booth? A. Well, I have never saw the distance measured, or anything of that kind. I would call it something like a good quarter of a mile. Q. Was there anyone else present when this vote was being counted besides the election officers of that precinct? A. Well now, if I understand it right—I don't know exactly who was the election officers. The way I was told is all I know. We will say Jack Clark, I don't know whether he was clerk or what he was, but he was one of the officers, and Frank Hughes, and a man by the name of Edwards, I don't know the first part of his name. He was a new-comer in there, not been there very long, I know that. Mont Martin—he is an old fellow up there, I know him. Now, in the counting, Tom Lauhon helped make the count. I guess you all know him. He is a citizen here in this town some place, I reckon. Q. Was Tom Lauhon a citizen and voter of this precinct at Martin? A. If he was I don't know it. He claimed to live here somewhere is always been my understanding. He was not any voter there. I make that plain, because I know he was not, if that is what you want to know. Q. This man Edwards you speak of being an officer of election, how long had he been in this voting precinct? A. I

couldn't tell you. He has been around there quite awhile, I wouldn't state how long he has been there. I don't know as I want to state that, because I really don't know much about the man, and I don't want to state anything only what I know is facts, my way of getting along. I don't know how long he had been there. I know he is not a native of that precinct, though, but I don't know how long he has been there. Might have been there long enough to have a vote two or three times for all I know. Might not have been there long enough to vote any time, I don't know. Q. I believe you say, Mr. Morgan, that you stayed on the election ground most all of that day from the time the polls opened until they were closed? A. I was about the third, fourth or second man, and stayed there until the polls closed, or until they said they were closed. Q. Do you know as to the manner in which the men, the officers carried on this election, and as to the way the voters voted? A. Of course, I did. I was interested of course I watched my race carefully. Q. Do you know of any men voting openly on the table and before the election officers and other voters? A. Yes, sir; I don't know about the other voters. I know of men openly before me. Q. At different times on this day, do you know of more than one voter being in the voting booth at one time? A. Yes, sir. Q. How many do you know of being in the voting booth at any one time? A. To the best of my knowledge, all the way from eight to ten, to the best of my knowledge—negroes that voted at one time, or at least they went in to vote. I don't know whether they voted or not. Q. Did the people in general crowd up around the voting booths, nearer than fifty feet? Well, principally, the people, yes, was closer than fifty feet, got up there right close to the booths near the booths. They had tickets you know pinned to the booths, to the voting house, that is what I mean, and everybody, you know, would come up to see the tickets. They had them tacked up you know—they had all the candidates tacked up there and they would come up, you know, to see how to vote, and a great many of them would come up,

I stood there pretty close myself awhile and they would ask me where my ticket was at and I would show them, like any other candidate, I would cite my ticket and tell them to not forget the Razor, and they would ask how will I get there, and I would try to show them. That was showing the people how to vote, I suppose that was put up there to show the people how to vote, is my opinion about it. Q. Do you know whether or not the election officers on this occasion swore any of the voters as to their inability to vote their ballot in the booths before permitting them to vote on the table? (Objected to.) A. Well, I don't know. You see I was on the outside, except at the time when I was in there, voting, early in the morning and I don't know anything about them swearing them, or anything of that kind. Q. Did they swear the man you saw vote on the table? A. I believe you got a misunderstanding. You asked me if I understood the question if I saw any one vote there on that day. I saw them vote in the booths, not on the table. It was the private booths where I saw them vote, and he called me in to see him vote. He was Jack Clark. Q. Who did Jack Clark vote for in the Representative race. A. I don't remember who Jack did vote for. I believe to my opinion he voted for Ed. Allen is my recollection about it. Q. Was Jack Clark an officer of this election? A. Yes, sir.

Cross-examination by Mr. May: Q. Mr. Morgan, you are very well acquainted with the contestee, Edward L. Allen, are you? A. Yes, sir. Q. Do you know where he was born and raised? A. He was born very near where I was born. Q. State whether or not he is a native of that community in which Martin precinct is located? A. He sure is, up until about maybe couple of years, or maybe three years ago. Q. He was born and raised in that precinct? A. Yes, sir. Q. Do you know whether or not he is very widely related in that section to a large number of the leading-families in the community, including the Allens, Praters, Gayhearts, Pattons and Martins? A. Ed. is related to just about the same

that I am up there. He kindly sizes his relation up like I do mine. Q. Isn't that nearly everybody in the precinct, Mr. Morgan, except the new comers that are there by reason of the mining town? A. I don't know, Jack, so much about that. Let me study a minute on that question. I know Ed.'s father and mother very well, and knowed them all my life ever since I have been a little bit of a kid. I couldn't say that. You know there is a whole lot of new people in there. Q. Is he widely related to the native people? A. Yes, he has got a lot of relations up there. Q. State whether or not it is a fact that at the time of this election and before the election, the sentiment and talk of the people largely in that community was strongly for Ed. Allen? A. Well, now, Jack, that was mixed up piece of business up there to be honest with you about the matter. Of course, Ed.'s people talked his part of the question, and there was a hearing to the other side about that. Q. Was there a good many Allens living in that section of the country? A. There is—I can very nearly if I had time to count them up for you. Q. Was there a good many of the Praters and their kinsfolks? A. Well, there was somewhat of a bunch of Praters around there. Uncle Dan Prater, Uncle Bob Prater's family, and— Q. Good many of the Martins living in that country? A. Yes, a right smart little bunch of them, not so many as you might think. Q. Is there several of the Gayheart family? A. Well, since Aunt Ellen's folks left, there is not so many as there used to be, Jack. Q. State whether or not there is a good many of the Pattons and their kinsfolks? A. There is more Pattons than there is any of the others. Q. Mr. Allen's mother was a Patton, wasn't she? A. Yes, sir; his mother was a Patton, Polly Patton, Wiley Patton's daughter. Q. State whether or not it is a fact that the Martins, Gayhearts, Praters and Pattons, are principally Democratic? A. You have got me figuring there a little bit. Some of the Praters are Democrats and some of the Pattons are Republicans, and some of the Martins, pretty well all the Martins, so far as I know, supposed

to be Democratic—you have got me right there in a place where I can't exactly answer that question, but I will say that most of the Pattons are Republicans, so far as I know. Q. Speaking of John Bear Stephens, the man whom you say voted last. Was he a qualified voter of that precinct at that time? A. Yes, sir; I think so. He ought to have been. Q. Is Kelley Reed a voter in that precinct? A. I don't know. What makes me state so well that John Bear Stephens, about his vote—I will explain myself—I am just only trying to tell the truth. What makes me go ahead and say that John Bear Stephens was a voter there, was because I have been barbering there all the time and been shaving him all the time. I believe the man was a legal voter there. That is unless he had something else against him that taken his vote away from him. Q. You mean so far as his residence and time and citizenship? A. Yes, sir. Q. You speak of Breckenridge Hays voting there. Is that the man that is known as J. C. B. Hays? A. I don't know as I have saw the old gentleman write his name, but I have always known him as old Dave Hays' son that was born and raised on Beaver creek. Q. Just above the mouth of Stone coal? A. I think so. Q. Is there a lot of Sextons living in that precinct? A. Yes; I know Pearl Sexton, Bill Sexton— Q. is there a man by the name of Will Smith lives in that precinct? A. I don't know the gentleman. Q. Do you know Andy Coburn lives on Rock fork? A. Yes, sir. Q. Do you know P. O. Stanley that lives up there at the mines? A. Well, now, there aint no such a man as P. O. Stanley up there and I live on Stone Coal myself. If there is such a man there I don't know him. Q. State whether or not there is located in Martin precinct the town of Garret, the town of Wayland, two important mining towns? A. Why, I suppose they have got a town up there or mining town. I don't go around the mines any, Jack. They have got Garret and Wayland. I don't know whether they are mining towns or what they are. They are supposed to be coal operations going on at each place. Q. What is the

population of Garret? A. It is very small sum presently and has been for quite awhile. Q. Wasn't practically all the houses in Garret occupied at the time of this election by people who lived in them? A. No, sir; they were not. If they were, I was misled about that. You mean at the time of the election. You are leading me right into a place where I will have to talk about that, Jack. No, Jack, there wasn't occupied. I reckon from what the mine runners told me they wanted men to rent the houses and everybody up there seemed to want more men. There was houses for rent, so far as I know. I don't know how full they were nor how empty they were. Q. Mr. Morgan, without talking quite so much, can't you tell me whether or not there is two mining towns in that precinct or not? (Objected to.) A. You are mighty right I can tell you, not straining myself a bit to talk about it. There is supposed to be two mining towns up there. Q. Isn't it a fact also that the houses are almost as thick from Garret to Lackey as they are from Garret to Wayland? A. Wait now, a minute. You asked me about Garret and Wayland. Now, you are getting at it. Q. I am asking you about the houses between Garret and Wayland? A. Now you are coming to me where I understand you. The houses from—if you mean to take this in real business, commencing at the corporation of Garret, at least where they claim to be the corporation, and including John Barney's works and running to Wayland, and including the Shop fork and the Stamper fork and all the rest of those little towns up there, then I know how to talk to you about it. Q. I want to know whether or not there is a large number of people living from John Barney's mines above the mouth of Salt Lick to the head of Steele's creek and between those points, including Stamper branch and Shop fork on Steele's creek? A. Not to my knowing. Q. How many houses is there that people could inhabit? A. You will have to get the record from the coke and coal people to find that out. Q. Approximately how many? A. I couldn't state how many. Q. Is there as many as 1,000 houses? A. I wouldn't say. Q. State whether or not there is

a mining operation at the mouth of Salt Lick within this precinct? A. Yes, sir. Q. Is there a mining operation at the mouth of Rock fork in addition to the Elkhorn-Garret operation? A. Privately—there is a couple of little mining towns private or what ever you want to call it. I mean besides that—I mean they haven't any buildings at all. Q. Is there a mining operation and several people living around at what is known as the Stover Elkhorn Coal Company just below that? A. That is up at Lackey, just below Lackey. Q. Is there another new operation going up there at the mouth of Jones fork in this precinct? A. There is one going in. Q. Then is there still another operation known as the Black Diamond Coal Company just above Lackey in this precinct? A. No, sir. There is a little town called Estill—the Black Diamond and the other little company joined at Lackey—that includes the Black Diamond—you have fore-named it before you come up there. Q. Is there a coal operation just above Lackey P. O. known as the Black Diamond Coal Company? A. Yes, sir; just above there. I wouldn't be positive about the name. Q. The next one above there, small town above there, is Estill is it not? A. I think that is the name of it. Q. Then the larger town of Wayland is still above that? A. Yes, sir. Q. Now, then, all of these mining towns and coal operations are within this precinct? A. Yes, sir;—wait a minute, hold on—No, sir; they are not in the precinct. Q. Which one of them is not in it? A. You see I am swearing, Jack, and you are asking questions, you see. I am watching by corners, as well as you asking questions. Go ahead and ask your question. Now, here is Bosco. I don't think that is in that precinct. Q. You mean Duncan Elkhorn Coal Company is not perhaps in the Martin precinct? A. I pretty well know it is not. Q. Is the Salt Lick Coal Company, that operation at Tom Martin's place, in Martin precinct? A. Possibly it might be. Yes, I believe that that much of it is in the Martin precinct. Q. Mr. Morgan, is there a large number of people living also on

Stone Coal creek that is thickly populated for a country community? A. Well, if you will just give me a little minute to study I can just about figure it up, Jack, with you. Well, I would commence with myself, and Sherman Collins is second, Green Hicks is third, and Mr. Scott is fourth, and Mr. Case is fifth, and Mr. Bentley is sixth, Granville Hoover is seven, Anderson is dead, old Anderson is eight, Jeff Scott is nine, Dan Scott is ten, John Morgan Whitt is eleven, John Moore is twelve, and that concludes the boys on Stone Coal so far as I know. Q. Did you go up on Stone Coal creek in your canvassing as a candidate for constable? A. I just rode the road. I didn't care anything about the office. I just rode along, went up by Wayland and crossed over and went down Steele creek one trip and went over to Mr. Martin's store on Left Beaver near Bill Buck Stumbo's and came back and down Stone Coal. That is as far as I went. I didn't lose any time. I kept jerking whiskers. Q. You were a candidate, I believe you say on the Independent ticket under the device of a Razor for constable? A. Yes, sir. Q. You are a Democrat I believe? A. Yes, sir; I am a Democrat, but I was a little bit off at that time. Q. Lots of other fellows off with you, wasn't there? A. Well, I don't know, Jack, about that. I know that I got off under the Razor and made a pretty stiff race, and really believe I was elected, but I didn't get it. I will swear to the best of my knowledge I was elected, if that is what you want to know. Q. Speaking of Tom Lauhon being there and assisting in counting the votes, do you know whether or not he had an inspector's certificate from the Republican county chairman of this county? A. If he did, I don't know it. I know one thing. I went to Mr. Lauhon and told him I wanted a counter in there, and we talked about it, and he said that he was perfectly willing to it, and so I went then after they moved their business down to the Bowling Hotel after the last votes of Mr. Stephens and Mr. Hays, and the polls was cried out closed, and no more voters called for, then we followed on down to the hotel at Mr.

Bowling's, and there I went in and asked for a counter in there to help count the vote and they wouldn't let me have any counter at all, simply for the fact they said I had no right there, and Jack Clark he said I had no right for a counter at all, and you asked me about Tom Lauhon, he said he would see that I got justice, and after he said that to me I gave up the ghost and went home. Q. Speaking of the ballots that you mention as being tacked up on the voting house for the voters to see how to vote, you have reference to the educational ballot that is prepared for that purpose, do you not? A. I have reference to this, Jack. It was tacked up there for the people to see how and where to vote, I suppose. Q. Was it the white ballots out of the election stub book, or was it the educational ballots that was provided to be tacked up for the voters? A. I say they were tacked up there, I don't suppose they went in the booths and got any, and tacked them up. Q. Were they pink and blue color? A. To my opinion they were, best of my knowlege. I aint going to say they was or wasn't.

Re-direct examination by Mr. Caudill: Q. I believe you say Tom Lauhon lives in or near Prestonsburg? A. That is the way I am informed. I know he is not a citizen of our country up there. Q. Did the Republican party have anybody up there that was qualified to act as inspector of the ballots? (Objected to.) A. Why, sure they did, as far as that is concerned. Q. Mr. May spoke of Mr. Allen having a very wide relationship there. Is it not a fact that most of Mr. Allen's relations up there are Republicans? A. Well, now, let's see about that—there is the Pattons, they are principally all Republicans as I told you awhile ago, and the Martins, as for knowing I don't, but as they claim to be they are Democrats. I wouldn't swear they are related to him. If they are any blood relation, I don't know it. Q. Most of his relations you know of are Republicans? A. Yes, sir; they are, but you got me on that Martin question. He claim to be kin to them. I don't know anything about that. You mean by

marriage kin? Q. All kinds of kin? A. — Q. Mr. May spoke something about your hearing the voters of this precinct talk about this race before the election. I will ask you, judging from what you hear the people say, who should have received a majority of the votes in this precinct, Mr. Day or Mr. Allen? (Objected to.) A. Well, you fellows seem to be hemming me right down to the bottom of it. Of course I am in here just to tell it the way I believe it, that is all I can do. Of course, one section of that country was principally for Allen, taking Salt Lick and take along in there in that part of the country, of course Allen's folks live right in there, and they talked in favor of Allen. You take it back the other way up and down, they talked in favor of Day. So I would have to kindly figure on that to see which one, but in my mind, but including the party Day ought to have had a majority up there, just best of my knowledge. Q. The towns of Garret, Estill and Wayland that Mr. May speaks of are mining towns, are they not? A. Yes. Q. Is it not a fact that most of the inhabitants of these towns are miners? A. Yes, what there are there. There aint very many there. I aint been there for a good long time. In my idea—I barber there and pretty well acquainted with the situation at the mining towns there, and they are sending out transportation all the time trying to get men in there. There is not near as many men there as there was in the primary when the primary election come off, not near so many as there was then. They have been dropping down you know all the time. Q. Most of these miners are transient citizens, are they not? A. Some of them pays taxes and some don't. I know of a good many that don't pay any taxes at all.

And further deponent saith not.

(Signature waived.)

Witness claims attendance, 1 day, \$1.00.

Also the deposition of J. N. Harris, taken at the same time and place and for the purposes stated in the caption. The

witness being of lawful age and by me first duly sworn, testified as follows:

Q. State your age, residence and occupation? A. I am 56 years old; live in Prestonsburg, Ky., and county court clerk at present. Q. By virtue of your office are you custodian of the stub books that was used in the various voting precincts of this county at the November election, 1917? A. Yes, sir. Q. Have you the stub book as used at precinct No. 15, known as Martin precinct before you? A. Yes, sir. Q. Can you find on that stub book the names of J. C. B. Hays and J. B. Stephens? A. Yes, sir. Q. Will you give the number of each of these as they appear on the stub? A. J. B. Stephens is 371, consecutive number 371; J. C. B. Hays is consecutive number 372. Q. Will you give us the number of votes that appear to have been cast after the number as cast by J. C. B. Hays? A. According to these consecutive numbers thirty-three, 405 is the last consecutive number. Q. Will you refer to this stub book and make it a part of your deposition in this case? A. Yes, sir. (Objected to.) A. I am willing to refer to it and make that reference a part of my deposition. Q. Have you also in your office certificate of the vote as cast in this Legislative district for the two candidates? A. Yes, sir; I think so. I have got the election commissioner's; what they did; their action on the record book in my office. Q. Will you refer to and file certified copy of this and make it a part of your deposition? A. Yes, sir.

Cross-examination: Q. Mr. Harris, I believe you say you are 57 years of age? A. Fifty-six. Q. Have you lived all your life or practically all of it in Floyd county? A. Yes, sir. Q. During that time have you frequently been in politics and in elections? A. Yes, sir. Q. Have you always been familiar and well acquainted with the people of this county, generally speaking? A. Yes, sir; I think so. Q. You have been sheriff—deputy sheriff of the county? A. Yes, sir. Q. Clerk of the county court? A. Yes, sir. Q. Superintendent of

schools? A. Yes, sir. Q. And at present you are clerk of the county court? A. Yes, sir. Q. Are you acquainted with Edward L. Allen, the contestee in this case? A. Yes, sir. Q. Are you well acquainted in the section of the county embracing and included in Martin precinct? A. Yes, sir. Q. How long have you been acquainted with it, Mr. Harris? A. Over thirty years. Q. Are you acquainted with the relationship of the contestee, Edward L. Allen, throughout that community by blood and marriage? A. I think I am. Q. Name some of the strong families of that community that are related to him either by blood or marriage? (Objected to.) A. Well, the Allens, Pattons, Martins, some of the Praters, and some of the Gayhearts. Q. What percentage of the voting population of Martin precinct, in your judgment, is made up of the Allens, Martins, Prathers, Gayhearts, Pattons and their relationship; I mean at the time this election was held? A. There is so many people there I don't know now at this time on account of that new coal mine. Formerly before that coal mine went in there, I should say 75 per cent of them, but since the coal mine went in there, I can't say. Q. Then it is your judgment that of the native population of that precinct that 75 per cent of it would be either directly or indirectly related to Mr. Allen? (Objected to.) A. I think so. Q. What political party does most of these families you have mentioned as being related to Mr. Allen belong to? A. Mostly Democratic. Q. Are you acquainted with Kendall Moore, the Republican candidate for sheriff that was a candidate at that precinct? A. Yes, sir. Q. Are you acquainted with his relationship in that section of the country? (Objected to.) A. I think so. Q. To what extent was he related to the people? A. Same people; just about the same people all the way around, except Kendall Moore includes the Hayes' that I don't know whether Mr. Allen does or not, for sure. The Hayes are practically all of them Democrats. He is kin to the Martins, Allens, Moores and the Collinses and Praters. I don't know

whether Mr. Allen is akin to any of the Collins or not or the Hayes, and Mr. Moore is. Q. The Hayes family, so far as you know, are all of them Democrats? A. All that I can now call to mind is. Q. Was Joel C. Martin, the Democratic candidate for jailer, widely related through that section of the country? A. He was. Q. His relationship is something similar to that of Mr. Moore and Allen? (Objected to.) A. Well, yes. Q. Please refer to the certificate of the return of the officers of election showing the number of votes cast in Martin precinct at the last November election in the race for Representative, and tell the examiner how many votes are certified as being cast for the contestant and how many for the contestee? A. Mr. S. F. Day received 27 and Edward L. Allen 371, according to this certificate. Q. I notice that it is alleged in this notice of contest that the contestee, Edward L. Allen, received and there was counted for him 419 votes from that precinct. Have you any certificate showing that there was such number? A. I have no other certificate except this. Q. And it shows 371? A. 371. Q. Do you know Andy Coburn? A. Yes, sir. Q. How long has he lived in that precinct? A. About as long as I can remember. Q. Do you know Kelley Reid? A. Yes, sir. Q. State whether or not he has lived there for some time and appears to be entitled to vote at that precinct? A. You were talking about this Andy Coburn that lives on Rock Fork—Kelley Reid—I don't know where he lives, but he used to live around at the mouth of Salt Lick. That is I used to be acquainted with Kelley Reid that lived there. Q. Is the Reid branch in Martin precinct? A. I believe it is. That is my best recollection. I think the Martin precinct commences at the old Jack Neil place. Q. Please refer to the stub book before you and state whether or not Andy Coburn's name appears to have been voted as shown by stub number 394? A. Yes, A. Coburn's name is here. I can't say whether that is A. Coburn or something—I think that is the meaning of it. Let me correct that. This is A. *Cobun*. I wouldn't say

positive that is Coburn. When I first looked at it I thought it was A. Coburn. Q. Do you know Andy Coburn's father, Alamander Coburn? A. Yes, sir. Q. Do you know whether or not at that time he and for several years past he was living with Andy up on Rock Fork? A. No, I thought he lived on Salt Lick. I didn't know that.

Re-direct examination. Q. Can you state what per cent of the vote in the Martin precinct are foreign vote, as you call it? A. I can not now. Q. You wouldn't be able to state the per cent of the vote that is related to Mr. Allen, then, would you, Mr. Harris? A. Except that I would be able to say that a good big per cent of them are related to him, but there is a foreign vote I don't know anything about, but what we call natural born citizens, or most of them are related to Mr. Allen. Q. About how many voters would this include? A. It would include Martins, it would include the Allens and it would include the Pattons. I couldn't tell you anything about as to the number, but I can give you an estimate if that would be worth anything to you. Q. Are you acquainted with the political complexion of this precinct? A. Well, I thought so. Q. What is it? A. Outside of this foreign business, now it is Democratic. Q. Can you state to what extent the Martins are related to Mr. Allen? A. The Martins are related to Mr. Allen by marriage. Q. Is it very distant? A. No, sir; Mr. Allen married Dick Mayo's daughter, and Mr. Dick Mayo was a nephew of Big Joe Martin, B. Martin, Joel Martin and Fred Martin and Jack Martin. Q. Now the Allens and the Pattons you speak of only include a very small per cent of the vote in this precinct? A. I don't think they include but very small per cent. Q. They are also Republican, are they not? A. I think perhaps the Pattons are.

Re-cross examination. Q. Speaking from your records and from other information received by you, can you state whether or not Mr. Edward L. Allen had a brother named Sage Allen, who was a candidate for magistrate, for a little

while previous to this election in that precinct? A. I think so, yes. Q. You have information and in fact received direction from Sage Allen to leave his name off of the ballot as a candidate for magistrate in that precinct just before the election? A. I had it in writing to leave his name off. Q. Did you also receive information and understand from your connection with politics that the Democratic opponent of Mr. Sage Allen for magistrate, who had a wide relationship of Democrats had agreed to support Mr. Ed. Allen for Representative? A. Before the election, I can't say that I had that, but I thought it from general principles, but since the election I have heard it. Q. I believe that opposing Democratic candidate was Mr. Dan Prater? A. Yes, sir. Q. And he was elected without opposition after that? A. Yes, sir.

Re-direct examination: Q. Is it not a fact that Mr. Edward L. Allen himself helped to bring about this swap? A. I don't know anything about the facts. I can tell you what I think about it. Q. Do you know where Edward L. Allen was on the day of the election? A. From information I do. Q. I will ask you to refer to the certificate as recorded in the back of the stub book from this precinct and say whether or not Mr. Edward L. Allen appears there as clerk, the man that swore in the election officers? A. Yes, sir; he seemed to be here, deputy clerk. Q. Is this the same Edward L. Allen that is the defendant in this case? A. Yes, sir.

And further deponent saith not.

(Signature waived.)

TAXATION OF COST.

Stenographer's fees:

Taking depositions	\$3 00
Taxing cost	30
Transcribing notes, 17 p.@30c.....	5 10
	\$8 40

Sheriff's cost, 25c.

STATE OF KENTUCKY,
COUNTY OF FLOYD, *Set.*

I, Claude Stephens, notary public within and for Floyd county, Kentucky, hereby certify that the foregoing depositions of S. F. Day, Reuben Morgan and J. N. Harris, were taken before me at the time and place and for the purposes stated in the caption. That said witnesses were duly sworn before testifying, and said depositions were taken by me in shorthand notes, by agreement of the parties, the reading of same to the witnesses and the signatures of the witnesses thereto being waived.

I further certify that plaintiff was present in person and represented by attorney John Caudill; the defendant was present in person and represented by attorney A. J. May.

I further certify that my commission expires Feb. 7, 1920.
Witness my hand this January 17th, 1918.

CLAUDE STEPHENS,
Notary Public Floyd County, Kentucky.

Received through the U. S. Mail, sealed, opened and filed
January 21, 1918.

Att.: ELI BERRY,
Chief Clerk House of Representatives.

Mr. Bell offered the following resolution, viz.:

Whereas, there has been lodged with the Clerk of this House the notice and grounds of contest, together with depositions for contestant and contestee in the contest from the Eighth Legislative District of Kentucky, in which A. F. Hanberry is contestant and G. Frank Walthal is contestee for membership in this House:

Therefore, be it resolved, that a committee of nine members of this House, composed of Messrs. T. R. Welch, W. F. Klair, S. Lee McGohan, T. P. Oliver, Ben S. Street, W. B. O'Bannon, J. S. Cruse, Lewis Ryans and A. J. McCandless,

be and they are hereby appointed as a contest committee for the hearing and determination of the contest, with instructions to hear said contest as speedily as possible and to report its findings to this House for action.

Said resolution was adopted.

Mr. Rice moved that the contest of S. F. Day, contestant, vs. Edward L. Allen, contestee, be referred to the same committee as that designated in the above resolution, viz.: Messrs. T. R. Welch, W. F. Klair, S. Lee McGohan, T. P. Oliver, Ben S. Street, W. B. O'Bannon, J. S. Cruse, Lewis Ryans and A. J. McCandless.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

H. Res. 2. Joint resolution ratifying the proposed amendment to the Constitution of the United States of America.

Whereupon, all other business was suspended, said resolution was read at length and compared in open house, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution.

Ordered, that the Enrolling Clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled resolution, which originated in the House and which has been

signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hardin moved that the Speaker designate and appoint some one to locate and prepare a suitable room to be known as Bill Room.

Said motion was agreed to.

Mr. Minor offered the following resolution, viz.:

Be it resolved by the House of Representatives:

That the Speaker's son, Master Guthrie Ferguson Crowe, be, and he is hereby, elected an honorary page of this House during the present session.

Said resolution was adopted.

Mr. Klair moved that when this House adjourns today it be to meet again on Monday next at one o'clock p. m.

Said motion was agreed to.

Mr. Musick offered the following resolution, viz.:

Resolution requesting the State Inspector and Examiner to furnish to the General Assembly certain information.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Inspector and Examiner shall immediately report to the General Assembly whether the Secretary of State, the Auditor, Superintendent of Public Instruction, or

the head of any other department of this Commonwealth having lump sum appropriations to be used in the discretion of such head of such departments has provided for the expenditure of such sums and if not what part of such sum is unexpended and that expended to whom such sums have been paid, stating in full and in detail whether said sums have been paid for work not provided for by statute or used for supplementing or increasing the salaries thus provided for.

Such report shall also state the number of persons in each of said departments receiving money from the State and whether they are paid out of lump appropriations or otherwise; the manner of employment of each of such persons; the beginning and the expiration of the terms of each; the amount received for services rendered and the actual time given by such employees to his or her duties; the number of hours per day or per week and the nature of the duties assigned by the heads of the department to such persons.

That said report shall also state the actual number of employees, who, in the judgment of the Examiner and Inspector, are essential to such department and the appropriate salaries thereof, commensurate with the necessity therefor, the ability required, and the time engaged on such duties, together with a statement of such sum of money as will in his judgment be reasonably sufficient to meet the extra and incidental expenses other than salaries of such department and the total appropriation that would reasonably and efficiently care for such department, without waste or extravagance, or useless positions.

That such report shall also state the recommendations of the Examiner and Inspector of such laws and other procedure as in the judgment of the Examiner and Inspector make the heads of the respective departments responsible under their official bonds for any useless expenditures or salaries expended to persons performing no labors or duties, and such other recommendations as will enable the General Assembly

to intelligently review the expenditures of the State Departments and to determine the necessary appropriations therefor.

Mr. Klair moved that said resolution be referred to the Committee on Public Offices.

Said motion was disagreed to.

Mr. Musick offered the following amendment to said resolution, viz.:

Amend by striking out the words "Be it resolved by the General Assembly of the Commonwealth of Kentucky" and insert in lieu thereof the following words: "Be it resolved by the House of Representatives."

Said amendment was agreed to.

Said resolution, as amended, was adopted.

Mr. Musick offered the following resolution, viz.:

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That whereas certain preference appears to have been shown in the printing of certain bills originating in this House out of their numerical order, be it now resolved that such action deserves and is now given the censure of this House.

Mr. Phelps offered the following amendment to said resolution by way of substitute therefor, viz.:

Resolved, that the public printer be, and he is hereby, instructed to print bills in numerical order.

Mr. Klair moved that said resolution and substitute therefor be referred to the Committee on Printing.

Said motion was agreed to.

Mr. Minor offered the following resolution, viz.:

Whereas, many of the members of the present House of Representatives remember with much pleasure the honorable Ruben B. Hutchcraft, who so brilliantly represented the county of Bourbon in this House during the regular sessions of 1914 and 1916 and during the special session of 1917, and

Whereas, the said Honorable Ruben B. Hutchcraft is now a lieutenant in the United States Army in France, sacrificing his time and laying himself on the altar of Democracy for the protection of the liberty we love so well, therefore,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That this House send to the Honorable Ruben B. Hutchcraft greetings in token of our sincere appreciation of his work in former sessions in the House of Representatives, and in commendation of his noble and patriotic spirit in taking up arms for his country. That the Chief Clerk of this House is hereby instructed to forward to Honorable Ruben B. Hutchcraft by registered mail a copy of this resolution.

Said resolution was adopted.

Upon a call of the counties and representative districts for the introduction of bills, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. M. E. Lee:

H. B. 43. An act changing the time for holding the sessions of Circuit Courts of the Ninth Circuit Court District of Kentucky.

To the Committee on Circuit Courts.

By same:

H. B. 44. An act repealing section number 334 of the Civil Code of Practice relating to the time for filing a bill of exceptions together with the amendment thereto, and re-enacting the same with certain modifications thereof.

To the Committee on Codes of Practice.

By Mr. Garnett:

H. B. 45. An act to amend an act entitled "An act granting pensions to indigent and disabled Confederate soldiers," which became a law March 11th, 1912.

To the Committee on Confederate Home.

By Mr. R. T. Smith:

H. B. 46. An act to prohibit the slaughter of calves under twelve months of age except male Jersey calves, and providing a penalty for a violation of this act.

To the Committee on Agriculture.

By same:

H. B. 47. An act making it unlawful for any officer, servant or employee of the State of Kentucky or any city therein, or of the Federal Government to influence, control directly or indirectly the caucus nomination of any officer or employee or servant of the General Assembly of Kentucky or any officer, employee or servant of the General Assembly of Kentucky.

To the Committee on Public Offices.

By same:

H. B. 48. An act to prohibit tipping and providing a penalty therefor.

To the Committee on Ways and Means.

By same:

H. B. 49. An act making unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or moonshine still, and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

To the Committee on Alcoholic Liquor Traffic.

By same:

H. B. 50. An act to repeal chapter 55c, Carroll's 1915 edition of Kentucky Statutes.

To the Committee on Kentucky Statutes.

By same:

H. B. 51. An act to provide a uniform tax rate on cash, notes, bonds, stock and other like personal property, and on land.

To the Committee on Revenue and Taxation.

By same:

H. B. 52. An act to prevent the intoxication of members of the General Assembly in the House and Senate, and providing punishment therefor.

To the Committee on Kentucky Statutes.

By same:

H. B. 53. An act to amend and re-enact subsection 2 of section 68a, Carroll's 1915 edition of the Kentucky Statutes.

To the Committee on Kentucky Statutes.

By same:

H. B. 54. An act to amend and re-enact subsection 4 of section 4521a, Carroll's 1915 edition of the Kentucky Statutes, by adding a provision for a penalty for violation thereof.

To the Committee on Kentucky Statutes.

By Mr. Radcliffe:

H. B. 55. An act to promote temperance in the State.

To the Committee on Retrenchment and Reform.

By same:

H. B. 56. An act to raise funds to be used to eradicate illiteracy from the Commonwealth of Kentucky and to educate the children of the Commonwealth by taxing unmarried persons and to provide a way and manner for collecting said tax.

To the Committee on Ways and Means.

By Mr. McLellen:

H. B. 57. An act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson county.

To the Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 58. An act to amend and re-enact section 926a, Kentucky Statutes, Carroll's edition 1915, relating to clerical assistance for judges of the Court of Appeals.

To the Committee on Court of Appeals.

By Mr. Meyers:

H. B. 59. An act to further regulate railroads and provide for safety of the employees on freight trains.

To the Committee on Railroads.

By same:

H. B. 60. An act appropriating funds for the benefit of the Colored Normal School.

To the Committee on Appropriations.

By Mr. Hays:

H. B. 61. An act to require corporations, firms, partnerships, or any concern employing laborers, when they issue script to their employes, to redeem said script in lawful money at the pay day same is payable under the law to the said employe.

To the Committee on Immigration and Labor.

By Mr. Dycus:

H. B. 62. An act to allow hoopnets, two-inch mesh, in the Mississippi, Ohio, Tennessee, Cumberland and Kentucky rivers.

To the Committee on Fish and Game.

By same:

H. B. 63. To amend and re-enact an act to provide revenue and taxation for roads and bridges for magisterial districts, to give people right to vote for revenue to improve roads and bridges in said magisterial district.

To Committee on Public Roads and Highways.

By same:

H. B. 64. To amend Workmen's Compensation Act, re-enact sections 7, 16, 17, to insert seven days in lieu of two weeks.

To Committee on Compensation for Industrial Injuries.

By same:

H. B. 65. An act to amend and re-enact subsection 1 of section 2569b, October, 1915, relating to anti-shipping liquor bill.

To Committee on Alcoholic Liquor Traffic.

By same:

H. B. 66. An act to provide for the true consideration in deeds, etc., on realty and penalty therefor upon failure to do so.

To Committee on Kentucky Statutes.

By same:

. II. B. 67. Plaintiff to give bond for cost in suit for libel for use of defendant should he fail to get judgment against plaintiff.

To Committee on Codes of Practice.

By Mr. Hunter:

H. B. 68. An act relating to the destroying of election ballot stubs.

To Committee on Suffrage and Elections.

By same:

H. B. 69. An act to amend section 2119 of article 2 of chapter 66 of the Kentucky Statutes relating to actions for divorce and the duties and fees of county attorneys in respect thereto.

To Committee on Judiciary.

By Mr. Gilbert:

H. B. 70. An act for the benefit of West Kentucky Industrial College.

To Committee on Appropriations.

By Mr. O. V. Brown:

H. B. 71. An act providing for a burial fund for persons under and over twelve years of age who die residents of Kentucky owning no property, and providing that the

county of the residence of such person shall be liable therefor and the manner in which application may be made for such fund and how determined and manner of payment thereof.

To Committee on Juvenile Courts and Children's Home.

By Mr. Hager:

H. B. 72. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same with certain modification thereof.

To Committee on Judiciary.

By Mr. Bradford:

H. B. 73. An act for the improvement of the public highways of this Commonwealth.

To Committee on Public Roads and Highways.

By Mr. T. J. Smith:

H. B. 74. An act prohibiting the shipment of liquor and all other intoxicating drinks into prohibited territory; also, defining the word liquor as used in this act, and fixing the penalty for violation of this act.

To Committee on Alcoholic Liquor Traffic.

By Mr. Street:

H. B. 75. An act to prohibit the employment or enticing away of any person under a contract of employment with another, and providing punishment and damages therefor.

To Committee on Immigration and Labor.

By same:

H. B. 76. An act to abolish the office of county assessor and create the office of county tax commissioner for each county in the State; provide for his appointment, prescribe his duties; and to repeal certain laws in conflict with this act; and further relating to the appointment and qualification of county tax commissioner.

To Committee on Revenue and Taxation.

H. B. 77. An act to amend an act approved December 3, 1893, entitled "An act relating to interest and usury."

To Committee on Banks and Banking.

By same:

H. B. 78. An act to amend and re-enact section 1358, Kentucky Statutes, relating to the offense of sale of mortgaged personal property.

To Committee on Kentucky Statutes.

By Mr. Young:

H. B. 79. An act to amend section 4 of chapter 87 of the Acts of the General Assembly of 1916, which is an act regulating trapping and for the protection of fur-bearing animals and providing penalties for violation of act and repealing all laws and parts of laws in conflict with the provisions of this act.

To Committee on Fish and Game.

By Mr. Hardin:

H. B. 80. An act exempting persons engaged in the military and naval service of the Commonwealth or the United States in time of war, from registering, and permitting them to vote in primaries and elections and providing a method therefor, and fixing penalty for a violation thereof.

To Committee on Suffrage and Elections.

By same:

H. B. 81. An act to repeal subsection 2 of section 68a, of 1915 edition of Carroll's Kentucky Statutes, and substituting in lieu thereof the following; and adding to section 68a a new section to be known as subsection 2a.

To Committee on Kentucky Statutes.

By same:

H. B. 82. An act to regulate the shipment of intoxicating liquors into local option territory, providing for affidavit before delivering, and prohibiting any person, firm or corporation from receiving in excess of a certain quantity of such liquors in said territory and prohibiting the soliciting of orders for such liquors in such territory, and providing punishment therefor.

To Committee on Alcoholic Traffic.

By Mr. Howard:

H. B. 83. An act to amend an act entitled "An act imposing a license or franchise on any person, firm, corporation or association engaged in the production of oil in this State and authorizing counties also to impose such tax for road, school and county purposes; providing methods of determining the amount of tax due and prescribing penalties for

a violation of the provisions of the act," approved May 2, 1917, and so as to embrace within the provisions of said act, any person, firm, corporation, or association engaged in the mining of coal in this State.

To Committee on Revenue and Taxation.

By same:

H. B. 84. An act to amend subsection five of section three hundred and thirty-seven of the Code of Practice in civil cases relating to bills of exceptions.

To Committee on Codes of Practice.

By Mr. Kelly:

H. B. 85. An act relating to revenue and taxation and amending section 4148, chapter 108 of the Kentucky Statutes, Carroll's edition, article VII, providing when State, county and district taxes shall be due and payable and providing for interest and penalty as they shall become due.

To Committee on Revenue and Taxation.

By Mr. Piper:

H. B. 86. An act to amend section 2 of chapter 1 of the Acts of 1916, which is "An act to make it unlawful for any common carrier of passengers in this State to issue or give, and have any person to accept the use, or attempt to use, except as provided in this act, any free passes or free transportation; and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions," which act was approved on February 10th, 1916.

To Committee on Railroads.

By Mr. Cruse:

H. B. 87. An act to amend section 1846 of the Kentucky Statutes requiring the fiscal court of each county to cause to be published annually a statement showing the financial condition of the county.

To the Committee on County and City Courts.

By Mr. Klair:

H. B. 88. An act concerning the annual statements, reports, and returns of railway companies or railway corporations now required to be made and delivered to the Auditor of Public Accounts and the Railroad Commission, respectively, under certain provisions of the Kentucky Statutes (Carroll's edition).

To Committee on Revenue and Taxation.

By Mr. Cain:

H. B. 89. An act to amend and re-enact subsection 1, of section 4814a of Carroll's Statutes, 1915 edition.

To Committee on Kentucky Statutes.

By same:

H. B. 90. An act to amend and re-enact section 1155 of the Kentucky Statutes.

To Committee on Kentucky Statutes.

By same:

H. B. 91. An act to amend section 1 of an act entitled "An act to provide revenue by taxation for the improvement and construction of the public roads and bridges of the county," approved April 25, 1917.

To Committee on Public Roads and Highways.

By Mr. Bell:

H. B. 92. An act to amend section 965 Kentucky Statutes relating to circuit courts in the 12th Judicial District.

To Committee on Circuit Courts.

By Mr. L. P. Jones:

H. B. 93. An act providing for a run off primary election to be held on the fourth Saturday in August, where there have been more than two candidates in the regular August primary held the first Saturday in August, and providing rules and regulations governing same.

To Committee on Suffrage and Elections.

By same:

H. B. 94. An act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any premises used for such purposes.

To Committee on Retrenchment and Reform.

By Mr. Radcliffe:

H. B. 95. An act to regulate the descent and distribution of deceased adopted children.

To Committee on Judiciary.

By Mr. McDonogh:

H. B. 96. An act to amend section 4642, Kentucky Statutes, Carroll's edition 1915, relating to fees of official stenographic reporters in counties having a population of 150,000 or more.

To Committee on Municipalities.

By same:

H. B. 97. An act for the benefit of the Kentucky School for the Blind; to provide an increase in the annual appropriation for the white department and for the colored department, and to make an annual appropriation for the education and vocational training of the adult blind of Kentucky.

To Committee on Appropriations.

By same:

H. B. 98. An act relating to landlord and tenant and especially to the recovery of rent by the landlord and amending sections 2314 and 2317 of Carroll's Kentucky Statutes, edition of 1915.

To Committee on Kentucky Statutes.

By Mr. Vance:

H. B. 99. An act to further regulate the shipment of intoxicating liquors into local option territory, and to prohibit the sale thereof in local option territory.

To Committee on Alcoholic Liquor Traffic.

By Mr. Thornton:

H. B. 100. An act for the relief of the worthy blind in the Commonwealth of Kentucky.

To Committee on County and City Courts.

Pursuant to a motion made by Mr. Rice, and agreed to by the House authorizing the Speaker to designate and appoint some one to assist the Chief Clerk in his duties until the Assistant Clerk, Oscar Wicker, returns to take up his duties as such Assistant Clerk, the Speaker designated and appointed John T. Griffin, of Louisville, Ky., to perform such duties.

Mr. Meyers moved that this House do now adjourn.

Said motion was agreed to.

And then the House, in accordance with a motion heretofore made and adopted, adjourned to meet on Monday, next, at one o'clock p. m.

MONDAY, JANUARY 21, 1918.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the First Presbyterian church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	Robert Bays	R. J. Cain
W. J. Bailey	H. V. Bell	T. L. Caudel
L. D. Baldauf	Leroy Bonta	H. C. Chappell
J. H. Ballard	W. P. Bowman	Everett Cobb

John Cook	Griffin Kelly	Avery Sartin
James S. Cruse	W. F. Klair	Claude M. Thomas
J. C. Davis	S. D. Laughlin	R. T. Smith
W. G. Dycus	M. E. Lee	T. J. Smith
J. M. Elliston	J. E. Lilly	Ben Street
I. H. Gabbard	Ryland C. Musick	John W. Swope
Lark Garnett	A. J. McCandless	Elmore Thomas
M. E. Gilbert	H. C. McGehee	Geo. F. Thompson
W. H. Hager	S. Lee McGohan	J. Wood Vance
J. S. Hall	H. C. McLellen	F. C. VanHoose
A. L. Hamilton	W. B. O'Bannon	Geo. C. Waggoner
L. B. Hamilton	T. P. Oliver	G. Frank Walthal
B. H. Harris	W. F. Paris	T. R. Welch
David J. Howard	Lilburn Phelps	W. N. Winn
Joe Huddleston	Luther Pieratt	E. G. Young
A. R. Hudson	Ote Piper	
J. W. Johnson	H. C. Rice	

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Upon motion of Mr. Lee, the reading of the Journal of January 17th was dispensed with and the Journal approved.

In the matter of the contest of S. F. Day, contestant versus Edward L. Allen, contestee, depositions for plaintiff were received by the Clerk through the U. S. mail, sealed, opened and filed this day.

Mr. L. B. Hamilton moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Waggoner offered the following resolution, viz.:

Whereas, Dr. Burris A. Jenkins, former president of Transylvania and now prominent educator and representative citizen of Kansas City, who has recently returned from the battle fronts of Europe will be in Frankfort, Wednes-

day afternoon, January 30, be it resolved that he be invited to speak before a joint session of the General Assembly at 2:30 p. m. on the topic "The Battle Fronts of Europe."

Said resolution was adopted.

Mr. L. B. Hamilton offered the following joint resolution, viz.:

A joint resolution inviting Hon. Fred M. Sackett, Food Administrator for the Commonwealth of Kentucky, to address the General Assembly.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an invitation be extended to Hon. Fred M. Sackett, Food Administrator for the Commonwealth of Kentucky, to address the members of the present General Assembly on Tuesday, January 29th, 1918, at eleven o'clock a. m.

§ 2. Be it further resolved that the Speaker of the House appoint a committee consisting of two members, and the President of the Senate appoint a committee of two members to notify him of this invitation.

Mr. L. B. Hamilton moved that the rules be suspended and the said resolution be adopted.

Said motion was agreed to.

Said rules were suspended.

Said resolution was adopted.

Mr. L. B. Hamilton moved that the Speaker appoint a committee of two members of the House to act with a like committee of the Senate for the purpose of extending an in-

itation to Hon Fred M. Sackett to address the General Assembly on Tuesday, January 29th, 1918, on the subject of food conservation.

Said motion was agreed to.

In accordance with said motion the Speaker appointed as such committee the Hon. L. B. Hamilton and the Hon. T. R. Welch.

Mr. Rice called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 4. Joint resolution memorializing Congress to create a National Highway along the sector of the Dixie Highway between the Kentucky River on the north and Knoxville, Tenn., on the south; to declare same a military post road; and to appropriate by Congress a sufficient sum of money for its immediate construction.

(For said resolution No. 4 see H. J., January 14th, 1918.)

Mr. Vance moved that said resolution lie on the table.

By the unanimous consent of the House said motion was withdrawn.

Mr. Vance moved that said resolution be referred to the Committee on Public Roads and Highways.

Said motion was agreed to.

On account of illness Hon. W. T. Lasley was granted an indefinite leave of absence.

Hon. A. J. Oliver was granted an indefinite leave of absence.

Upon a call of the counties and representative districts for the introduction of bills, the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Huddleston:

H. B. 101. An act to repeal chapter 42a, Kentucky Statutes, relating to embalming.

To the Committee on Kentucky Statutes.

By same:

H. B. 102. An act to license "Pin-Hook Tobacco Buyers."

To the Committee on Revenue and Taxation.

By same:

H. B. 103. An act to repeal the vital statistics law.

To the Committee on Public Health.

By Mr. Bell:

H. B. 104. An act to discourage the keeping of dogs and to prevent their depredations.

To the Committee on Agriculture.

By same:

H. B. 105. An act providing for the taxation of dogs.

To the Committee on Agriculture.

By same:

H. B. 106. An act to allow the use of hoopnets and seines in the rivers of Kentucky.

To the Committee on Fish and Game.

By Mr. Musick:

S. B. 107. An act providing compensation for men warned out and required to work upon the public roads of this Commonwealth and fixing the powers and duties of the fiscal courts, county judges and overseers relative thereto and prescribing the penalties for presenting fraudulent claims hereunder and providing a tax to meet such expenses and amending and re-enacting section 43560, Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Public Roads and Highways.

By Mr. Oliver:

H. B. 108. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative to the State Normal School for Colored Persons and amending and re-enacting same.

To the Committee on Education No. 2.

By Mr. Gabbard:

H. B. 109. An act providing for the publication of the date on all canned foods on which the same was canned, filled or packed and making unlawful the sale of such commodities not so marked after January 1st, 1919, and providing penalties therefor.

To the Committee on Pure Food.

By Mr. Davis:

H. B. 110. An act to regulate the time of holding the terms of the circuit court in the twenty-eighth judicial district.

To the Committee on Circuit Courts.

By same:

H. B. 111. An act relating to election returns of districts composed of more than one county.

To the Committee on Suffrage and Elections.

By Mr. Klair:

H. B. 112. An act to repeal section 3095 of the Kentucky Statutes and to enact, in lieu thereof, sections 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f, 3095g and 3095h, relating to the condemnation of property for public purposes of cities of the second class.

To the Committee on Municipalities.

By Mr. Hamilton:

H. B. 113. An act for the protection of certain migratory game birds, fixing open seasons, and providing penalty for violation.

To the Committee on Fish and Game.

By same:

H. B. 114. An act to amend section 2282 of chapter 74 of Kentucky Statutes, Carroll's edition 1915, entitled trustee of jury fund.

To the Committee on Judiciary.

By same:

H. B. 115. An act to amend section 1722 of chapter 47 of Kentucky Statutes, Carroll's edition 1915, relating to the office of circuit court clerks in felony cases.

To the Committee on Circuit Courts.

By Mr. McLellen:

H. B. 116. An act to regulate the practice of Chiropody, to license Chiropodists and to punish persons violating the provisions thereof.

To the Committee on Public Health.

By same:

H. B. 117. An act to provide for the suppression of contagious diseases among bees. To create the office of State Inspector of Apiaries and to appropriate money therefor.

To the Committee on Agriculture.

By Mr. Elmore Thomas:

H. B. 118. Providing street and interurban cars operating in Kentucky to have their platforms inclosed.

To the Committee on Interurban and City Railways.

By Mr. Bays:

H. B. 119. An act amending that part of section 965 Kentucky Statutes, relating to the times for holding court in the thirty-fourth judicial district.

To the Committee on Circuit Courts.

By Mr. Bowman:

H. B. 120. An act to provide for placing the flag on public school houses.

To the Committee on Education No. 2.

By Mr. Thompson:

H. B. 121. An act to amend subsection 2 of section 68c, Kentucky Statutes, relating to a tax on dogs.

To the Committee on Agriculture.

By Mr. Beckham:

H. B. 122. An act to amend and re-enact sections 3513 and 3523, Kentucky Statutes, relating to city courts.

To the Committee on County and City Courts.

By Mr. Lilly:

H. B. 123. An act to prevent and punish the desecration, mutilation or improper use, within the Commonwealth of Kentucky, of the flag of the United States of America, and prescribing penalty therefor.

To the Committee on Federal Relations.

By Mr. Howard:

H. B. 124. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement, or dissolution of temporary injunctions by a judge of the Court of Appeals.

To the Committee on Court of Appeals.

By same:

H. B. 125. An act empowering owners of farms to name them, and providing for the registering thereof, and preventing the use of the registered name for any farm other than the one registered.

To the Committee on Agriculture.

By Mr. Ratcliffe:

H. B. 126. An act to provide whole family protection for members of fraternal benefit societies.

To the Committee on Insurance, Life and Accident.

The committee to which the same had been referred reported a bill of the following title, viz.:

By Mr. O'Bannon, of the Committee on Constitutional Amendments:

H. B. 34. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting after June 30th, 1920, the manufacture, sale and transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof.

With amendments thereto.

Said bill was read the first time at length and ordered to be placed in the calendar.

Mr. Klair moved that this House do now adjourn until tomorrow morning at eleven o'clock.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 22, 1918.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the First Presbyterian Church of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Chas. Ashby	H. L. Dixon	Harry J. Meyers
W. J. Bailey	W. G. Dycus	Claude D. Minor
L. D. Baldauf	F. A. Easterling	S. H. Moore
J. H. Ballard	J. M. Elliston	Ryland C. Musick
A. L. Baldwin	I. H. Gabbard	A. J. McCandless
Robert Bays	Lark Garnett	W. P. McDonogh
W. T. Beckham	M. E. Gilbert	H. C. McGehee
B. C. Beckmann	W. H. Hager	S. Lee McGohan
H. V. Bell	J. S. Hall	H. C. McLellen
Leroy Bonta	A. L. Hamilton	W. B. O'Bannon
W. P. Bowman	L. B. Hamilton	T. P. Oliver
J. L. Bradford	E. C. Hardin	W. F. Paris
O. V. Brown	B. H. Harris	Lilburn Phelps
R. J. Cain	David J. Howard	Luther Pieratt
T. L. Caudel	Joe Huddleston	Ote Piper
H. C. Chappell	A. R. Hudson	Richard Radcliffe
Everett Cobb	J. W. Johnson	H. C. Rice
John Cook	Leslie P. Jones	Lewis Ryans
A. S. Cooper	Griffin Kelly	Avery Sartin
Fred Cornelius	W. F. Klair	Joe Schneider
W. P. Cropper	H. A. Knollmann	Claude B. Smith
James S. Cruse	S. D. Laughlin	R. T. Smith
J. C. Davis	M. E. Lee	T. J. Smith
Harry Dill	J. E. Lilly	Thomas Spurrier

Ben Street	J. T. Thornton	G. Frank Walthal
John W. Swope	S. G. Thornberry	T. R. Welch
Claude M. Thomas	W. F. Trusty	W. N. Winn
Elmore Thomas	J. Wood Vance	E. G. Young
John B. Thomas	F. C. VanHoose	
Geo. F. Thompson	Geo. C. Waggoner	—88

On motion of Mr. Minor, the reading of the Journal of yesterday was dispensed with and the Journal approved.

On account of illness, the Hon. Charles L. Hunter is granted an indefinite leave of absence.

Mr. Hardin offered the following resolution, viz.:

Be it resolved by the House of Representatives:

That the Judge of the Court of Appeals, who now occupies the bill room of this House be, and he is hereby, requested to vacate the bill room now occupied by him for and during the period of the session of this Legislature.

Mr. Radcliffe offered the following amendment to said resolution, viz.:

Amend by adding after the word Representatives, the following: That the Speaker of the House appoint a committee of three members to wait upon the Judge of the Court of Appeals who is now occupying the House bill room and request of him to vacate same in order that the room may be used for the purpose for which it was intended.

Said amendment was agreed to.

Said resolution, as amended, was then adopted.

In accordance with said resolution the Speaker appointed Messrs. Hardin, Radcliffe and Spurrier as such committee.

Mr. Phelps moved that the Speaker appoint a committee of three members to assist the pages of the House in the distribution of House bills printed and now ready to be laid upon the members' desks.

Said motion was agreed to.

In accordance with said motion the Speaker appointed Messrs. Phelps, Minor and Bradford as such committee.

Mr. Cooper moved that the State Librarian be now directed to supply the Kentucky Statutes belonging to the House of Representatives for the use of members thereof.

Said motion was agreed to.

A message was received from the Senate announcing that they had concurred in a joint resolution originating in the House of the following title, viz.:

H. Res. 5. A joint resolution inviting Hon. Fred M. Sackett, Food Administrator for the Commonwealth of Kentucky, to address the General Assembly.

Also, that they had adopted a joint resolution of the following title, viz.:

S. Res. 5. A joint resolution inviting Dr. Burris A. Jenkins to address the General Assembly Wednesday afternoon, January 30th, 1918, at two o'clock p. m.

Said resolution reads as follows, viz.:

Whereas, Dr. Burris A. Jenkins, former President of Transylvania, and now prominent minister and representative of Kansas City, who has recently returned from the battle fronts of Europe, will be in Frankfort Wednesday after-

noon, January 30, be it resolved that he be invited to speak before a joint session of the General Assembly at 2:30 p. m. on the topic: The Battle Fronts of Europe.

Mr. Minor moved that the rules be suspended and that said resolution be concurred in.

Said motion was agreed to.

Said rules were suspended.

Said resolution was concurred in.

The Auditor of Public Accounts made the following report in writing, viz.:

Frankfort, Ky., January 22, 1918.

To the House of Representatives:

GENTLEMEN:—In response to your resolution of January 16, 1918, as follows:

IN HOUSE OF REPRESENTATIVES

JANUARY 16TH, 1918.

ADOPTED.

Whereas, before making appropriations for charitable institutions and for agricultural and educational purposes it is important to take a comprehensive survey of the existing annual appropriations and of recent special appropriations for said purposes,

Therefore, be it resolved by the House of Representatives of the Commonwealth of Kentucky, that the Auditor of Public Accounts be, and he is hereby, requested to tabulate and furnish to this House as soon as may be the following information:

First, the standing or annual appropriations for the following purposes and institutions:

AGRICULTURAL.

Agricultural Bureau; State Board of Agriculture; State Fair; Board of Forestry.

EDUCATIONAL.

University of Kentucky; Agricultural Experiment Station; State Board of Health; Tuberculosis Commission; On account of San Jose Scale; Geological Survey; Western Kentucky State Normal School; Eastern Kentucky State Normal School; Kentucky Normal and Industrial Institute (colored); Kentucky Library Commission; Kentucky School for Deaf and Dumb (including per capita); Kentucky Institution for Blind (including per capita).

CHARITABLE INSTITUTIONS.

Eastern State Hospital; Western State Hospital; Home for Incurables; Kentucky Home Society for Colored Children; Kentucky Children's Home Society.

MISCELLANEOUS,

Public Roads Department; State Historical Society; State Capitol Maintenance; Frankfort Cemetery.

Second, he will tabulate and furnish to this House the special appropriations granted to each of said institutions and for each of said purposes (a) by the General Assembly of 1914 and (b) by the General Assembly of 1916.

A copy attest: ELI BERRY,

Chief Clerk House of Representatives.

I beg to submit to you the following table:

First, the standing or annual appropriations for the following purposes and institutions are as stated below:

Agricultural Bureau	\$30,000.00
The State Board of Agriculture was established in 1916.	
State Fair	25,000.00
Board of Forestry	15,000.00
University of Kentucky (½c) fund and appropriation of	87,000.00

University of Kentucky, Agricultural Extension Fund, 1916	18,000.00
University of Kentucky. Agricultural Experiment Station	50,000.00
University of Kentucky, Experiment Station (Pure Food), 1916	30,000.00
State Board of Health	30,000.00
Tuberculosis Commission	15,000.00
On Account of San Jose Scale	500.00
Geological Survey	25,000.00
Western Kentucky State Normal School	75,000.00
Eastern Kentucky State Normal School	75,000.00
Kentucky Normal and Industrial Institute (colored)	13,000.00
Kentucky Library Commission	6,000.00
Kentucky School for Deaf and Dumb, including Appropriation of \$28,600.00 and per capita of \$150.00	83,552.20
Kentucky Institution for the Blind, including appropriation of \$23,000.00 and per capita of \$140.00	42,366.67
Eastern State Hospital per capita of \$155.00.....	211,939.16
Western State Hospital per capita of \$155.00.....	206,022.59
Home for Incurables	10,000.00
Kentucky Home Society for Colored Children.....	10,000.00
Kentucky Children's Home Society	50,000.00
Central State Hospital per capita of \$155.00.....	263,902.01
Feeble-Minded Institute per capita of \$155.00.....	68,309.41
State Historical Society	5,000.00
State Capitol Maintenance	16,000.00
Frankfort Cemetery	250.00
The Pure Food appropriation above referred to under control of the University of Kentucky was made at the session of 1916.	

The Kentucky Normal and Industrial Institute at the session of 1916 was given an appropriation of \$5,250.00 for two years amounting to	10,500.00
Kentucky School for the Blind, special appropriation, 1916	20,000.00
Eastern State Hospital, special 1916	15,000.00
State Capitol Maintenance, additional in 1914..	4,000.00
The Agricultural Extension Fund to the University of Kentucky, referred to and tabulated above of \$18,000.00, was an act of 1916.	

Under your head of Charitable Institutions I have added Central State Hospital and Feeble-Minded Institute in my table upon the idea that the names of these two institutions were overlooked in copying or were intended to be covered by the resolution.

The following statement embraces the receipts of all the departments of the public roads, or rather of the funds that have been collected from the beginning to the end of the last fiscal year June 30th, 1917, in those departments, together with expenditures:

State road fund receipts proper..	\$1,129,812.75	
Motor license fund	745,651.07	
Chauffeur license fund	14,938.00	\$1,890,401.82

EXPENDITURES,

State road fund proper.....	\$1,308,531.03	
Chauffeur license fund	6,271.80	
Motor license fund	89,754.31	\$1,404,557.14

Balance	\$ 485,844.68
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Respectfully submitted,

Attest: ROBT. L. GREENE,
Auditor of Public Accounts.

Mr. Arch L. Hamilton offered the following resolution, viz.:

Whereas, a call has been made by Dr. Richard Stevenson, President Kentucky Sheep Breeders Association, Lexington, Kentucky, and Mat S. Cohen, Commissioner of Agriculture, for a meeting of all farmers and others in this Commonwealth interested in the production of more sheep and more wool, to meet at Lexington, Ky., January 29th, 1918, to discuss and define the necessary methods and means of increasing the sheep and wool production of this Commonwealth and especially in the protection of same,

Therefore, be it resolved by the Kentucky House of Representatives now in session, that said meeting be requested to appoint a committee of five of those assembled at said meeting to appear before the agricultural committee of this body in joint session with the agricultural committee in the Senate of the General Assembly now in session, to report to and advise with said committees the necessary action by the Senate and Lower House now assembled for the protection and increased production of sheep and wool in this Commonwealth.

Be it further resolved, that a copy of the resolution from this body be sent to Dr. Richard Stevenson, of Lexington, Ky., and the Commissioner of Agriculture, Mat S. Cohen, Frankfort, Ky.

Said resolution was adopted.

Upon a call of the counties and Representative Districts the following bills were introduced. ordered printed and referred as follows. viz.:

By Mr. Minor:

H. B. 127. An act for the benefit of the Kentucky Schools for the Deaf, white and colored, carrying an appropriation of fifty dollars increase in per capita, and special appropriations of twelve thousand nine hundred and fifty dollars.

To the Committee on Appropriations.

By Mr. Thornton:

H. B. 128. An act limiting charges for the transportation of passengers upon railroads in the Commonwealth of Kentucky.

To the Committee on Railroads.

By Mr. Phelps:

H. B. 129. An act to amend section 148 of chapter 24 of Acts of General Assembly of 1916, approved on the 18th day of March, 1916, providing for the condemning of land for the use of common graded school districts.

To the Committee on Education, No. 1.

By Mr. McGehee:

H. B. 130. An act regulating the tax of towns of the sixth class.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. Klair:

H. B. 131. An act providing for the payment of premiums on bonds executed by certain State officers.

To the Committee on Kentucky Statutes.

By Mr. L. P. Jones:

H. B. 132. An act fixing the jurisdiction of county judges, justices of the peace and police judges in criminal cases.

To the Committee on County and City Courts.

By Mr. Hudson:

H. B. 133. An act in relation to advertisements concerning venereal diseases and sale of remedies therefor.

To the Committee on Public Health.

By same:

H. B. 134. An act to amend section 2755, Kentucky Statutes, Carroll's edition 1915, concerning the subject of weights and measures of the cities of the first class.

To the Committee on Municipalities.

By Mr. Hager:

H. B. 135. An act to amend section 1277, subdivision 4 of article 4, chapter 36, of the Kentucky Statutes, Carroll's edition of 1909, entitled crimes and punishments.

To the Committee on Retrenchment and Reform.

By Mr. Caudel:

H. B. 136. An act to amend chapter 22b, section 415b, subsections 6 and 15 of Carroll's Kentucky Statutes, 1915 edition, entitled "An act to repeal and re-enact an act entitled 'An act granting pensions to indigent and disabled Confederate soldiers,' " which became a law March 18, 1914.

To the Committee on Confederate Home.

By same:

H. B. 137. An act providing for a license tax on persons, firms, associations and corporations engaged in the business of mining coal; pumping, extracting and producing crude oil from the earth; and pumping, extracting and producing natural gas from the earth, with certain exceptions.

To the Committee on Mines and Mining.

By Mr. Bonta:

H. B. 138. An act to abolish the assessor's office and to provide in lieu thereof a county tax commission; prescribing the duties and qualifications of the county tax commission, and the duties of tax payers in relation thereto.

To the Committee on Revenue and Taxation.

By Mr. Beckham:

H. B. 139. An act to amend chapter 71 of the Acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor on March 24th, 1916.

To the Committee on Agriculture.

By Mr. Walthal:

H. B. 140. An act to amend and re-enact section 4053 of the Kentucky Statutes, edition 1915, relating to the assessment of property.

To the Committee on Revenue and Taxation.

By Mr. Trusty:

H. B. 141. An act to amend section 4649 of chapter 122 of Kentucky Statutes.

To the Committee on Agriculture.

By Mr. McLellen:

H. B. 142. An act to amend section 2751 of the Kentucky Statutes, Carroll's edition of 1915, providing for the publication of general ordinances of cities of the first class, being a part of an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

To the Committee on Municipalities.

By Mr. Lee:

H. B. 143. An act to provide a budget system of appropriations, providing a method for ascertaining the expenditures of the various departments of the State government, commission, institution, charitable, education, or correctional; or any other State agency, supported in whole or part by appropriations from the State Treasury, for the past two fiscal years, and their needs for the ensuing biennium, and the amount of appropriation necessary therefor; the financial condition of State; creating a budget appropriation commission, and prescribing their duties. Providing for the submission to the General Assembly a budget compiled by the budget appropriation commission, showing the financial

standing of the State, expenditures of the various departments, boards, commissions, institutions and agencies of the State for the past two years and their financial needs for the ensuing two years, accompanied by a budget appropriation bill drawn by the budget appropriation commission, which shall comprise all appropriations for said departments, boards, commissions, institutions and agencies, excepting the common schools, legislature and judiciary, for the two ensuing years; providing for its passage by the General Assembly; and regulating the procedure in the passage of all other appropriation bills.

To the Committee on Revenue and Taxation.

The committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the Acts of the Extraordinary Session of 1917, relating to the expenses and employees of the State Tax Commission.

With an amendment thereto.

By same:

H. B. 2. An act to amend and re-enact section 4046 and 4052, Kentucky Statutes, edition 1915, relating to the assessment of property for taxation.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

The House then took up for consideration from the calendar a bill of the following title, viz.:

H. B. 34. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting after June 30, 1920, the manufacture, sale and transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof.

The provision of the Constitution as to the second reading of said bill at length being dispensed with, said bill was read the second time by its title, and ordered to be placed in the orders of the day.

Mr. Lee moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, JANUARY 23, 1918.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the First Presbyterian Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	J. L. Bradford	H. L. Dixon
Chas. Ashby	O. V. Brown	W. G. Dycus
L. D. Baldauf	R. J. Cain	F. A. Easterling
J. H. Ballard	T. L. Caudel	I. H. Gabbard
A. L. Baldwin	John Cook	Lark Garnett
Robert Bays	A. S. Cooper	M. E. Gilbert
B. C. Beckmann	Fred Cornelius	W. H. Hager
H. V. Bell	James S. Cruse	A. L. Hamilton
Leroy Bonta	J. C. Davis	L. B. Hamilton
W. P. Bowman	Harry Dill	E. C. Hardin

B. H. Harris	W. P. McDonogh	T. J. Smith
David J. Howard	H. C. McGehee	Thomas Spurrier
Joe Huddleston	S. Lee McGohan	Ben Street
A. R. Hudson	H. C. McLellen	John W. Swope
Chas. L. Hunter	W. B. O'Bannon	Claude M. Thomas
J. W. Johnson	T. P. Oliver	Elmore Thomas
Leslie P. Jones	W. F. Paris	John B. Thomas
Griffin Kelly	Lilburn Phelps	Geo. F. Thompson
W. F. Klair	Luther Pieratt	J. T. Thornton
H. A. Knollmann	Ote Piper	S. G. Thornberry
S. D. Laughlin	Richard Radcliffe	J. Wood Vance
J. E. Lilly	H. C. Rice	F. C. VanHoose
Harry J. Meyers	Lewis Ryans	Geo. C. Waggoner
Claude D. Minor	Avery Sartin	G. Frank Walthal
John T. Murphy	Joe Schneider	T. R. Welch
Ryland C. Musick	Claude B. Smith	E. G. Young
A. J. McCandless	R. T. Smith	

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On motion of Mr. Minor, the reading of the Journal of yesterday was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Phelps:

H. B. 144. An act to amend section 203 of Carroll's Criminal Code, 1913 edition.

To the Committee on Criminal Law.

By same:

H. B. 145. An act to amend and re-enact section 1155 of Carroll's Statutes, 1915 edition.

To the Committee on Criminal Law.

By Mr. Allen:

H. B. 146. An act to prohibit the distillation or manufacture of intoxicating, spirituous, vinous or malt liquors in local option territory and to provide for the search of premises in local option territory where intoxicating liquors are distilled, brewed or manufactured, or suspected of being distilled, brewed or manufactured, for the seizure of such intoxicating liquors or any equipment, machinery or material used in the distillation or manufacture of same, for the arrest of the person or persons in charge of such premises, intoxicating liquors, equipment, machinery or material used in the distillation or manufacture of such intoxicating liquors and for the purpose of declaring such intoxicating liquors or the equipment or material used in the manufacture of same, contrabrand, and directing their confiscation and destruction.

To the Committee on Alcoholic Liquor Traffic.

By Mr. Cook:

H. B. 147. An act extending the time for a penalty upon taxes from December 1st to January 1st of each year.

To the Committee on Revenue and Taxation.

By same:

H. B. 148. An act to amend section 1 of chapter 2 of the Acts of the General Assembly at the extraordinary session of 1917 relating to revenue and taxation.

To the Committee on Revenue and Taxation.

By Mr. Radcliffe:

H. B. 149. An act to amend an act entitled an act to incorporate the Confederate Home and provide for the maintenance thereof.

To the Committee on Appropriations.

By same:

H. B. 150. An act to amend section 3034 of the Kentucky Statutes, Carroll's edition of 1915, concerning the revocation of liquor licenses by the license board in cities of the first class, and regulating appeals in such cases to the circuit court, being part of an act entitled an act for the government of cities of the first class, and approved July 1, 1893.

To the Committee on Alcoholic Liquor Traffic.

By Mr. VanHoose:

H. B. 151. A bill to prohibit the German language from being taught in the public schools of Kentucky.

To the Committee on Education No. 1.

By same:

H. B. 152. An act to prevent the transportation of women from one county to another county for immoral purposes.

To the Committee on Retrenchment and Reform.

By Mr. Murphy:

H. B. 153. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, and prescribing a penalty therefor.

To the Committee on Criminal Law.

By same:

H. B. 154. An act to amend section 4464 of Kentucky Statutes, relative to attesting by the trial judge the transcript testimony taken by an official stenographic reporter.

To the Committee on Judiciary.

By Mr. Bays:

H. B. 155. An act to amend and re-enact section 4251, Kentucky Statutes, Carroll's 1915 edition, relating to delinquent tax lists, and to provide for the publication of the proposed list before it is presented to or allowed by the fiscal court.

To the Committee on County and City Courts.

By Mr. Dixon:

H. B. 156. An act requiring corporations, companies, warehouse associations or persons engaged in the buying or selling of tobacco in hogshead or bulk, to account for and pay to the owners thereof the value of any sample or part thereof extracted from said hogshead or parcel of such tobacco.

To the Committee on Kentucky Statutes.

By same:

H. B. 157. An act to repeal and re-enact section 3, chapter 65, of the Acts of the General Assembly of 1914, entitled "An act to further regulate tobacco warehouse companies in the State of Kentucky," by providing that warehouse companies shall be required to take out license and providing penalties for violation of the law, and giving the Franklin

circuit court concurrent jurisdiction of offenses under the act.

To the Committee on Revenue and Taxation.

By Mr. Sartin:

H. B. 158. An act to change the common school term in this Commonwealth from seven months to six months.

To the Committee on Education No. 2.

By same:

H. B. 159. An act to standardize high school diplomas and provide for examinations.

To the Committee on Education No. 1.

By same:

H. B. 160. An act pertaining to the employment of teachers in common schools.

To the Committee on Education No. 1.

By same:

H. B. 161. An act to abolish second class certificates and requiring manuscripts to be forwarded to the State Board of Education.

To the Committee on Education No. 2.

By Mr. Waggoner:

H. B. 162. An act regulating the width of tires and the weight of load that may be hauled over public streets, high-

ways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

To the Committee on Public Roads and Highways

By same:

H. B. 163. An act relating to the maintenance of inter-county seat State aid roads.

To the Committee on Public Roads and Highways.

By Mr. Street:

H. B. 164. An act to amend and re-enact chapter 9 of the Acts of the Extraordinary Session of the General Assembly of 1917, which act imposes a license or franchise on any person, firm, corporation or association engaged in the production of crude petroleum in this State, and authorizing county officials to impose such tax for roads, schools and county purposes; providing methods of determining the amount of tax due and prescribing the manner of payment of State tax and imposing penalties for the violation of the act.

To the Committee on Revenue and Taxation.

By Mr. Spurrier:

H. B. 165. An act to repeal section 1342b of the Kentucky Statutes, Carroll's 1915 edition, and to re enact the same.

To the Committee on Alcoholic Liquor Traffic.

By Mr. Bowman:

H. B. 66. An act empowering the State Executive Agent of the Fish and Game Commission to take possession of the mussel shell beds and sand and gravel beds lying between the thread of the Ohio river and its northern shore, and authorizing him to lease same, and to regulate the catching of said shells and impose penalties for violation of the provisions of this act.

To the Committee on Fish and Game.

A message was received from the Senate announcing that they had passed a bill originating in that body of the following title, viz.:

S. B. 3. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting, after June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof, and a way by which it shall be submitted to the people for their approval or rejection.

To the Committee on Constitutional Amendments.

Mr. Vance offered the following resolution, viz.:

H. Res. 6. Whereas, the Democratic party was pledged in its platform to economy in expenditures for the Commonwealth of Kentucky, and to the abolishment of all offices and places under the State that were not necessary to the proper conduct of the affairs of the Commonwealth, and

Whereas, the present Democratic administration was elected on said platform and the Governor, in his campaign speeches and in his inaugural address, pledged the party to the abolishment of all unnecessary offices and places of employment under the State government, and

Whereas, the various departments of the Commonwealth of Kentucky are run separate and distinct from each other, and there is now no tangible information available for this General Assembly to determine as to whether or not there are useless offices and unnecessary employes of the Commonwealth on the payroll of the Commonwealth, and

Whereas, it is proposed by this session of the Legislature to create other offices, and offices were created at the last regular and special session of the General Assembly, and

Whereas, the members of this General Assembly and the people of the Commonwealth are entitled to know whether or not the moneys of the Commonwealth are being economically expended and for the guidance of this General Assembly it is necessary for it to know the number and duties of the offices and employes of the Commonwealth, and

Whereas, it is necessary for the members of this General Assembly to know the amount of money spent, and for what purposes expended by the various institutions of the Commonwealth, as such institutions are asking for further appropriations from this General Assembly;

Therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky, that the Speaker of this House appoint five members of the House of Representatives, three of whom shall be of the majority party and two of the minority party, and the President of the Senate appoint three members of the Senate, two of whom shall be of the majority party and one of the minority party, to compose a committee to investigate the expenditures of the Commonwealth of Kentucky, for its public institutions and for what purpose expended, to whom and by whom. The Speaker of the House and the President of the Senate shall have the power to appoint the Chairman of the committee. Said committee shall investigate the name and the services rendered by each officer and employe of the Commonwealth of Kentucky, and it shall further report the amount of money necessary to eco-

nomically and fairly conduct the public institutions of the Commonwealth of Kentucky, and the number and necessary employes in the various departments of the Commonwealth. To this end this committee is authorized and empowered to summons witnesses, administer oaths and employ a stenographer and auditing assistants and to call upon the Attorney General to furnish such necessary legal assistance as they may desire in their investigation, or incur any other necessary expense, such expenses to be paid as other expenses are paid out of the general expenditure fund of the Commonwealth.

They are further authorized to issue subpoenas for witnesses directed to either the sergeant-at-arms of the House or Senate, or both, to obtain the attendance of witnesses and to report witnesses who fail to attend to either the House or Senate for contempt.

Said committee is directed to report its findings back to the House and Senate not later than the 20th day of February, 1918, and they are authorized to make such reports in the meantime as may appear to them to be proper and necessary. They are further authorized to hold any meetings at any place in the Commonwealth they may see fit. Said committee is authorized to examine such books, records and papers as may appear to them to be necessary, and all officers and employes of the Commonwealth are directed to furnish to said committee free access to any records, books or papers in their possession pertaining to the affairs of the Commonwealth.

The chairman and any two members of the committee shall be a sufficient number to take proof, or to hear witnesses at any time, provided the testimony of such witnesses is reduced to writing and report it to the whole committee, or a majority of the members thereof for final approval. If the chairman for any reason declines to hear proof or call a meeting at any time any three members of the committee may, by

written notice to the chairman, fix a time and place in which testimony may be taken, and if the chairman declines to attend the three members may take proof under like conditions as above.

Any three members of the committee are authorized to issue subpoenas for the attendance of witnesses, and any member of the committee is authorized to administer oaths.

The committee provided for herein is authorized and directed to report back any bill or bills it may see fit in conformity with such recommendations as it cares to make to this House.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Dill offered the following joint resolution, viz.:

H. Res. 7. Whereas, the public printing of this Commonwealth, embracing the publication and binding of the laws, journals and the department reports, the printing of bills and resolutions of the General Assembly, the production of record books for the different governmental agencies, and the great mass of miscellaneous printing called for and made necessary by the demand of modern State government, and which, by present laws, must be done under the contract system, wherein contractors by previous agreement as to the submission of bids fix prices yielding enormous profits, and producing year after year great loss and damage to the Commonwealth, and

Whereas, in the interest of the school children of Kentucky, and that they may be provided with text books of approved character, as to the text therein, and the paper and binding thereof, without endless confusion, charges and countercharges, resulting from the present system wherein the interests of the children are placed secondary to the demands

of school book publishers; and that these books may be furnished at cost, or free of cost, to Kentucky's children, and

Whereas, the public printing of advanced and progressive States, like California and Kansas, including the publication of school books, the printing and binding of the United States government, and that of great municipalities, like the city of Boston, is done entirely by publically owned printing plants, and whereby many thousands of dollars are saved annually in these States which, in Kentucky, and other States, employing the contract system, pass as excessive profits to contractors;

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky, that a committee be appointed by the presiding officers of the Senate and House of Representatives, three from the Senate and five from the House, to investigate the Constitution and statutory laws of this Commonwealth, and to ascertain whether or not under existing law a State printing plant, with capacity to execute all printing and binding now done for this Commonwealth under the contract system, and to print and bind the entire school book system required by the public schools of the State, is possible and practicable, and that said committee be, and is hereby, instructed to report back as speedily as possible, by bill or otherwise, their findings to these respective bodies.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Rice offered the following joint resolution, viz.:

H. Res. 8. Whereas, the United States has joined the enemies of autocracy and is now at war with the Imperial German Government, in order that the world may be made safe for democracy, therefore,

Resolved, by the General Assembly of Kentucky that the United States government is assured of the loyalty and sympathy of the people of the State of Kentucky, in all speedy

and adequate preparation for and in the most vigorous prosecution of said war and to that end we pledge our united moral and physical strength and material resources.

Resolved, further, that we endorse and commend to the members of Congress of the United States and to the people of the State of Kentucky, the suggestion of President Wilson, which is concurred in by the leading statesmen of our country and allied powers, that when we are victorious and German militarism has been crushed and removed, the self-governed people and the free nations shall form a union or league and cooperate to insure the observance of peace and justice and in guaranteeing that liberty and democracy shall be safe and secure.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Gilbert offered the following joint resolution, viz.:

H. Res. 9. Be it resolved by the General Assembly of the Commonwealth of Kentucky, that the Speaker of the House of Representatives, and the President of the Senate be, and they are, authorized to employ the following necessary help for the House and Senate, to-wit:

For the House, one stenographer to the Chief Clerk, to be paid five dollars per day, and one stenographer to the House, to be paid at the rate of five dollars per day. For the Senate, a stenographer to the Chief Clerk, to be paid at the rate of five dollars per day; one reading clerk, to be paid at the rate of five dollars per day, and one stenographer to the Senate, to be paid five dollars per day, all to be paid for each and every day they have been or may be employed during the 1918 session.

The presiding officers of each branch of the General Assembly shall at once furnish a list of such employes to the Chief Clerk of the Senate and House of Representatives, together with the per diem to be paid to each, and the clerk

shall certify to the Auditor of Public Accounts the amount due each of such employes, and the Auditor shall thereupon draw his warrant upon the Treasurer for such amount due, and shall direct the payment out of the general expenditure fund of the Commonwealth.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Elliston offered the following resolution, viz.:

Since the death angel has visited the home of Representative W. N. Winn, of Gallatin County, Kentucky, and removed his father, Mr. T. J. Winn, from the activities of this life:

Be it resolved that the members of the House of Representatives by vote extend their sympathy to Representative Winn and through him to his family in this hour of bereavement.

Said resolution was adopted.

Mr. Lee offered the following joint resolution, viz.:

H. Res. 10. A joint resolution memorializing the Congress of the United States in regard to the immediate necessity of providing highway transportation connecting the states of the middle west, and all territory north of the Ohio river, with the southern states and the Atlantic seaboard and Gulf territories; petitioning Congress to enact a law creating a military post road on that section of the Dixie Highway, in the States of Kentucky and Tennessee, lying and extending between Louisville, Kentucky, on the north and Nashville, Tennessee, on the south; and appropriating by Congress of a sufficient sum of money, to be available at once, for the immediate construction of said designated highway.

Whereas, a great national necessity, one of the exigencies of the present war crisis, has impelled the President of the United States, under the authority vested in him, to assume control of the railroads and other systems of transportation in this country; and,

Whereas, such government control and management has already resulted in the suspension of a part of the passenger train service and serious results having occurred in the transportation of freight, with a further curtailment of both passenger and freight service imminent; and,

Whereas, this condition compels the people of the country to resort to the use of the public highways for the transportation of both freight and passengers to a large extent, which use may become more and more constant and urgent as the military necessities of the nation increase from time to time; and,

Whereas, as a direct result of such existing conditions the entire middle west, and territory north of the Ohio river, may be cut off and segregated from the southern states and the Atlantic seaboard and Gulf territories because of the lack of an adequate highway, of sufficient construction, to enable its use for transportation by either freight or passenger vehicles; and,

Whereas, the Dixie Highway, the most important highway in the United States running north and south, which extends from Chicago and other points north of the Ohio river to Miami, Florida, connecting at Nashville, Chattanooga, Atlanta and other southern cities with lateral highways reaching every portion of the Atlantic seaboard and the Gulf states, is in fairly good condition and ready for traffic, with the exception of about one hundred miles between Louisville, Kentucky, and Nashville, Tennessee. The entire route has been laid out and graded, but at the present time is not capable of being traversed by heavy trucks, which section of highway, however, when reconstructed will open up the shortest and most direct

highway transportation route between the two great sections indicated above and will result in aiding the movement of both freight and passenger traffic, providing also at the same time an adequate transportation system for military and governmental uses; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it is the sense of the General Assembly of the Commonwealth of Kentucky that there exists at the present time the necessity for an adequately constructed national highway, connecting the states of the middle west and territory north of the Ohio river with the southern states and the Atlantic seaboard and Gulf territories and that such connecting national highway should be located along the route of the western division of the Dixie Highway and comprising that sector of said highway extending between Louisville, Kentucky, on the north and Nashville, Tennessee, on the south.

§ 2. That the Congress of the United States is hereby petitioned to enact a law at the earliest possible moment designating, defining and declaring said sector of the Dixie Highway, as aforesaid described, to be a national highway; that a sum of money, sufficient in amount and as much as may be necessary, be appropriated for the immediate reconstruction of said stretch of one hundred miles of said highway; that the Secretary of Agriculture of the United States be authorized, empowered and directed to proceed at the earliest time, and not later than April 1st, 1918, to construct and complete said national highway, hereinbefore described, in order to make transportation over same effective at the earliest possible moment.

§ 3. That the Kentucky Senators and Representatives in Congress be, and they are hereby requested to exert their utmost endeavor in securing the passage of a law at the earliest possible date, establishing this national highway as a post road and securing the appropriation of sufficient money

for its immediate construction, in order that said highway may be available for use in the transportation of freight and passenger traffic at the earliest period of time.

Ordered that said resolution lie on the Clerk's desk.

Mr. Phelps moved that the Auditor's report read to this House on yesterday be printed in manner and form as House bills are printed.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. McGohan, of the Committee on Alcoholic Liquor Traffic:

H. B. 65. An act to amend and re-enact subsection 1 of section 2569b, Carroll's 1915 edition, Kentucky Statutes.

With an amendment thereto by way of substitute therefor.

Mr. McGohan moved that said substitute be printed.

Said motion was agreed to.

By Mr. Lilly, of the Committee on Banks and Banking:

H. B. 10. An act amending section 612a, Carroll's Kentucky Statutes, relating to combined bank and trust companies; providing the manner in which combined bank and trust companies may be organized; fixing the amount of capital of combined bank and trust companies and providing how the capital of combined bank and trust companies shall be used or employed.

By same:

H. B. 77. An act to amend an act approved December 3, 1893, entitled "An act relating to interest and usury."

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Hon. W. M. Duffy, ex-member, was granted the privilege of the floor of the House.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the acts of the extraordinary session of 1917, relating to the expenses and employees of the State Tax Commission.

H. B. 2. An act to amend and re-enact section 4046 and 4052, Kentucky Statutes, edition 1915, relating to the assessment of property for taxation.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read by their titles and ordered to be placed in the orders of the day.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 34. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting after June 30th, 1920, the manufacture, sale and transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof.

Said bill reads as follows, viz.:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Kentucky:

Upon the concurrence and agreement of three-fourths of all the members elected to each house, the yeas and nays being taken thereon, and entered in full in their respective journals, that the following amendment to the Constitution of the Commonwealth of Kentucky, be, and hereby is, proposed to the voters of the State for their ratification or rejection.

“Section. After June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors, except for sacramental, medicinal, scientific or mechanical purposes, in the Commonwealth of Kentucky, is hereby prohibited. All sections or parts thereof of the Constitution, in so far as they may be inconsistent with this section are hereby repealed and nullified. The General Assembly shall enforce this section by appropriate legislation.”

This proposed amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under the Constitution of Kentucky and under the law of the Commonwealth of Kentucky in force at the time of the submission, except there shall be provided and furnished each voter a separate ballot, on which there shall only be printed the substance of this amendment clearly indicated upon said ballot, and two spaces shall be left upon the right of same, one for votes favoring the amendment to be designated by the word, “Yes,” and one for votes opposing the amendment to be designated by the word “No.” The elector or voter shall designate his vote by a cross mark, thus “X,” placed opposite the word “Yes” or the word “No.”

The Committee on Constitutional Amendments offered the following amendments to said bill, viz.:

1. Amend the enacting clause by striking out “Senate and House of Representatives” and inserting the words “General Assembly.”

2. In line one strike out "three-fourths" and insert "three-fifths."

3. In line 19, strike out the words "only the substance of," and in line 20, strike out the words "clearly indicated upon said ballot."

Said amendments, numbers one and two, proposed by said Committee on Constitutional Amendments, were agreed to.

Mr. Howard offered the following amendment to amendment number three, proposed by said Committee on Constitutional Amendments, viz.:

Amend said amendment by striking out the word "only" and the words "clearly indicated upon said ballot," so that said amendment will read as follows: Amend H. B. No. 34 by striking out the words "the substance of," in line 19 of said bill.

Said amendment to amendment number three was agreed to.

Said amendment number three, as amended by Mr. Howard, was agreed to.

Mr. Baldwin offered the following amendment to said bill, viz.:

Amend by striking out "1920" and inserting in lieu thereof "1921."

The yeas and nays being required on said amendment by Messrs. Minor and Waggoner, were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. P. Cropper	W. H. Hager
A. L. Baldwin	Harry Dill	J. S. Hall
B. C. Beckmann	J. M. Elliston	A. L. Hamilton

J. W. Johnson	Harry J. Meyers	Joe Schneider
W. F. Klair	John T. Murphy	J. T. Thornton
H. A. Knollmann	W. P. McDonogh	T. R. Welch
J. E. Lilly	Lewis Ryans	—20

Those who voted in the negative were—

Ed. L. Allen	Lark Garnett	Luther Pieratt
L. D. Baldauf	M. E. Gilbert	Ote Piper
J. H. Ballard	L. B. Hamilton	Richard Radcliffe
Robert Bays	E. C. Hardin	H. C. Rice
W. T. Beckham	B. H. Harris	Avery Sartin
H. V. Bell	David J. Howard	Claude B. Smith
Leroy Bonta	Joe Huddleston	R. T. Smith
W. P. Bowman	A. R. Hudson	T. J. Smith
J. L. Bradford	Leslie P. Jones	Thomas Spurrier
O. V. Brown	Griffin Kelly	Ben Street
R. J. Cain	W. T. Lasley	John W. Swope
T. L. Caudel	S. D. Laughlin	Claude M. Thomas
H. C. Chappell	M. E. Lee	Elmore Thomas
Everett Cobb	Claude D. Minor	John B. Thomas
John Cook	S. H. Moore	Geo. F. Thompson
A. S. Cooper	Ryland C. Musick	S. G. Thornberry
Fred Cornelius	A. J. McCandless	W. F. Trusty
James S. Cruse	H. C. McGehee	J. Wood Vance
J. C. Davis	S. Lee McGohan	F. C. VanHoose
H. L. Dixon	H. C. McLellen	Geo. C. Waggoner
W. G. Dycus	W. B. O'Bannon	G. Frank Walthal
F. A. Easterling	T. P. Oliver	W. N. Winn
L. L. Embry	W. F. Paris	E. G. Young
I. H. Gabbard	Lilburn Phelps	—71

And so said amendment was disagreed to.

Mr. Waggoner offered the following amendment to said bill, viz.:

To amend line 8 by inserting the word "other" between the words "or" and "intoxicating," so as to read "malt or other intoxicating liquors."

Said amendment was agreed to.

Mr. Howard offered the following amendment to said bill, viz.:

Amend H. B. No. 34 by adding the word and figure "section 1" at the beginning of line one of said bill. Also amend same by striking out the word "section," at the beginning of line seven, in said bill. Also by adding the word and figure "section 2," at the beginning of line fourteen of said bill.

Said amendment was agreed to.

Mr. Meyers offered the following amendment to said bill, viz.:

Amend by striking out the words "June 30th" and insert in lieu thereof "January 31st."

Said amendment was disagreed to.

Mr. Spurrier moved the previous question.

Said motion was agreed to.

Mr. Waggoner moved that the session of today be extended indefinitely.

Said motion was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Lark Garnett	Luther Pieratt
Chas. Ashby	M. E. Gilbert	Ote Piper
L. D. Baldauf	W. H. Hager	Richard Radcliffe
J. H. Ballard	J. S. Hall	H. C. Rice
Robert Bays	L. B. Hamilton	Lewis Ryans
W. T. Beckham	E. C. Hardin	Avery Sartin
H. V. Bell	B. H. Harris	Joe Schneider
Leroy Bonta	David J. Howard	Claude B. Smith
W. P. Bowman	Joe Huddleston	R. T. Smith
J. L. Bradford	A. R. Hudson	T. J. Smith
O. V. Brown	Leslie P. Jones	Thomas Spurrier
R. J. Cain	Griffin Kelly	Ben Street
T. L. Caudel	W. T. Lasley	John W. Swope
H. C. Chappell	S. D. Laughlin	Claude M. Thomas
Everett Cobb	M. E. Lee	Elmore Thomas
John Cook	J. E. Lilly	John B. Thomas
A. S. Cooper	Claude D. Minor	Geo. F. Thompson
Fred Cornelius	S. H. Moore	S. G. Thornberry
W. P. Cropper	Ryland C. Musick	W. F. Trusty
James S. Cruse	A. J. McCandless	J. Wood Vance
J. C. Davis	H. C. McGehee	F. C. VanHoose
H. L. Dixon	S. Lee McGohan	Geo. C. Waggoner
W. G. Dycus	H. C. McLellen	G. Frank Walthal
F. A. Easterling	W. B. O'Bannon	T. R. Welch
J. M. Elliston	T. P. Oliver	W. N. Winn
L. L. Embry	W. F. Paris	E. G. Young
I. H. Gabbard	Lilburn Phelps	—80

Those who voted in the negative were—

A. L. Baldwin	J. W. Johnson	John T. Murphy
B. C. Beckmann	W. F. Klair	W. P. McDonogh
Harry Dill	H. A. Knollmann	J. T. Thornton
A. L. Hamilton	Harry J. Meyers	—11

The Committee on Constitutional Amendments offered the following amendment to the title of said bill, viz.:

Amend title of act, by adding after the word "thereof," "and a way by which it shall be submitted to the people for their approval or rejection."

Said amendment was agreed to.

The yeas and nays being taken on the passage of said bill, as amended by the title thereof, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	F. A. Easterling	H. C. McGehee
Chas. Ashby	J. M. Elliston	S. Lee McGohan
L. D. Baldauf	I. H. Gabbard	H. C. McLellen
J. H. Ballard	Lark Garnett	W. B. O'Bannon
Robert Bays	M. E. Gilbert	T. P. Oliver
W. T. Beckham	W. H. Hager	W. F. Paris
H. V. Bell	J. S. Hall	Lilburn Phelps
Leroy Bonta	L. B. Hamilton	Luther Pieratt
W. P. Bowman	E. C. Hardin	Ote Piper
J. L. Bradford	B. H. Harris	Richard Radcliffe
O. V. Brown	David J. Howard	H. C. Rice
R. J. Cain	Joe Huddleston	Lewis Ryans
T. L. Caudel	A. R. Hudson	Avery Sartin
H. C. Chappell	Leslie P. Jones	Joe Schneider
Everett Cobb	Griffin Kelly	Claude B. Smith
John Cook	W. T. Lasley	R. T. Smith
A. S. Cooper	S. D. Laughlin	T. J. Smith
Fred Cornelius	M. E. Lee	Ben Street
W. P. Cropper	J. E. Lilly	John W. Swope
James S. Cruse	Claude D. Minor	Claude M. Thomas
J. C. Davis	S. H. Moore	Elmore Thomas
H. L. Dixon	Ryland C. Musick	John B. Thomas
W. G. Dycus	A. J. McCandless	Geo. F. Thompson

S. G. Thornberry	F. C. VanHoose	T. R. Welch
W. F. Trusty	Geo. C. Waggoner	W. N. Winn
J. Wood Vance	G. Frank Walthal	E. G. Young

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Those who voted in the negative were—

A. L. Baldwin	J. W. Johnson	W. P. McDonogh
B. C. Beckmann	W. F. Klair	J. T. Thornton
Harry Dill	H. A. Knollmann	
A. L. Hamilton	John T. Murphy	

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Mr. Ballard moved that the vote by which said bill, as amended, was passed, be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Radcliffe, of the committee appointed to locate a bill room for the House, reported that they had visited various rooms and offices and found them all occupied; that they had decided to locate the bill room in the room known as the Enrolling Clerk's Office, and that it was his opinion that this location would be more accessible for such purpose than the regular bill room, which is now being occupied by Judge Sampson, of the Court of Appeals.

Mr. Hardin, of the same committee, reported that the committee had been unable to induce Judge Sampson to vacate the bill room of the House, which he is now occupying as an office room.

Mr. Spurrier, also of the same committee, reported that the committee had not determined upon a location of a bill room but that it was his opinion that one of the rooms now being occupied by the Library would be a suitable room for bill room.

Mr. Musick moved that the report of the committee be received and the committee discharged.

Mr. Claude M. Thomas proposed as a substitute for said motion that the committee be continued and that they make their report to the House on tomorrow.

Said substitute was agreed to.

Said motion made by Mr. Musick, as amended by way of substitute by Mr. Claude M. Thomas, was then agreed to.

Mr. Minor moved that this House do now adjourn.

Said motion was agreed to.

THURSDAY, JANUARY 24, 1918.

The House was opened with prayer by the Rev. J. J. Gravatt, pastor of the Episcopal Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	O. V. Brown	Harry Dill
Chas. Ashby	R. J. Cain	H. L. Dixon
L. D. Baldauf	T. L. Caudel	W. G. Dycus
J. H. Ballard	H. C. Chappell	F. A. Easterling
A. L. Baldwin	Everett Cobb	J. M. Elliston
Robert Bays	John Cook	L. L. Embry
W. T. Beckham	A. S. Cooper	I. H. Gabbard
B. C. Beckmann	Fred Cornelius	Lark Garnett
H. V. Bell	W. P. Cropper	M. E. Gilbert
W. P. Bowman	James S. Cruse	J. S. Hall
J. L. Bradford	J. C. Davis	A. L. Hamilton

L. B. Hamilton	W. P. McDonogh	T. J. Smith
E. C. Hardin	H. C. McGehee	Thomas Spurrier
B. H. Harris	S. Lee McGohan	Ben Street
David J. Howard	H. C. McLellen	John W. Swope
A. R. Hudson	W. B. O'Bannon	Claude M. Thomas
J. W. Johnson	T. P. Oliver	Elmore Thomas
Leslie P. Jones	W. F. Paris	John B. Thomas
Griffin Kelly	Lilburn Phelps	Geo. F. Thompson
W. F. Klair	Luther Pieratt	J. T. Thornton
H. A. Knollmann	Ote Piper	S. G. Thornberry
S. D. Laughlin	Richard Radcliffe	J. Wood Vance
M. E. Lee	H. C. Rice	F. C. VanHoose
J. E. Lilly	Lewis Ryans	Geo. C. Waggoner
Clarence Miller	Avery Sartin	G. Frank Walthal
S. H. Moore	Joe Schneider	T. R. Welch
John T. Murphy	Claude B. Smith	W. N. Winn
A. J. McCandless	R. T. Smith	E. G. Young

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On motion of Mr. L. B. Hamilton the reading of the Journal of yesterday was dispensed with and Journal approved.

Mr. Spurrier moved that immediately preceding the order of the day this House resolve itself into a Committee of the Whole for the purpose of hearing an address to be delivered by the Hon. M. M. Logan, Chairman of the State Tax Commission, on the subject of the tax laws of Kentucky.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Spurrier, Cobb and Miner as a committee to notify Mr. Logan of the action of the House.

A message was received from the Senate announcing that they had passed a bill originating in that body of the following title, viz.:

S. B. 10. An act repealing and re-enacting section 14a, chapter 2, Kentucky Statutes (Carroll's 1915 edition) relative to newspaper advertisement of sales of property.

To the Committee on Printing.

Also that they had adopted a joint resolution of the following title, viz.:

S. Res. 8. Resolution assuring the United States Government of the loyalty and sympathy of the people of the State of Kentucky.

Ordered that said resolution lie on the Clerk's desk.

Mr. Hardin, of the committee appointed to locate and prepare a bill room for the House, made the following report in writing, viz.:

We, your committee, appointed to secure the use of a room in the Capitol Building as a bill room, respectfully report that a room in the south corridor and on the third floor of the Capitol Building, and at present being used by the Hotel Inspector's office, has been secured for the above purpose and will be available for such use tomorrow morning, January 25th, 1918.

Said report was agreed to.

Mr. J. B. Thomas, on account of illness, was granted an indefinite leave of absence.

Mr. A. A. Demunbrun was granted an indefinite leave of absence.

Upon a call of the counties and Representative Districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Cooper:

H. B. 167. An act relating to the clearing of rights of way of improved highways of this Commonwealth.

To the Committee on Public Roads and Highways.

By Mr. A. L. Hamilton:

H. B. 168. An act to amend and re-enact section 1 of an act entitled an act relating to revenue and taxation, providing an annual tax upon property subject to taxation in this State, fixing the rate thereof, distributing said tax to various departments and State institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations, designating what classes of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignment of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording certain mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing penalties and repealing existing statutes, and approved at a special session of the State Legislature, 1917.

To the committee on Revenue and Taxation.

By Mr. Piper:

H. B. 169. An act to amend and re-enact section 4, chapter 13, Acts of 1916 of the Kentucky General Assembly of Kentucky, giving five days for filing expense accounts.

To the Committee on Suffrage and Elections.

By Mr. Baldauf:

H. B. 170. An act to suppress trading stamps, coupons, tickets, certificates, labels, metal checks and tags and other similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violations of its provisions.

To the Committee on Kentucky Statutes.

By Mr. McDonogh:

H. B. 171. An act creating and relating to the office of County Road Engineer in counties containing more than 200,000 population and providing for his term of office, qualification, assistants and compensation, and repealing all laws in conflict therewith.

To the Committee on Municipalities.

By Mr. Bays:

H. B. 172. An act fixing eight hours as a working day in all contracts between employers and employees and providing for payment for extra time, and penalties for violation of this act.

To the Committee on Immigration and Labor.

By Mr. Rice:

H. B. 173. An act to create a board of trustees for the government, administration and control of the University of Kentucky; providing for its appointment, and repealing previous laws relating to same subject.

To the Committee on State University.

By Mr. Thompson:

H. B. 174. An act to permit owners to hunt upon their own premises.

To the Committee on Fish and Game.

By Mr. O. V. Brown:

H. B. 175. An act to amend section 1, article 3, chapter 79, of the acts of the General Assembly of 1914, being an act entitled an act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment of two additional assistant inspectors; to fix the salary of the chief inspector and assistant inspectors of mines; and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this State; which act was approved March 23, 1914.

To the Committee on Mines and Mining.

By Mr. Cruse:

H. B. 176. An act to amend section 1086, Kentucky Statutes, and increasing jurisdiction of the Justices' Court in cities of the first, second and third class from one hundred dollars to two hundred dollars.

To the Committee on County and City Courts.

By Mr. Thornton:

H. B. 177. An act to repeal subsection 2 of section 223. Criminal Code of Practice.

To the Committee on Criminal Law.

H. Res. 6. Offered by Mr. Vance on yesterday, carrying an appropriation, was, by the Speaker, referred to the Committee on Appropriations.

H. Res. 9. Offered by Mr. Gilbert on yesterday, carrying an appropriation, was, by the Speaker, referred to the Committee on Appropriations.

Mr. Phelps offered the following communication to the House in writing, viz.:

A memorial presented to the General Assembly of the Commonwealth of Kentucky at its 1918 session by Mrs. Joe Huddleston, President of the Woman's Missionary Society of the M. E. Church, South, Griders Chapel, Waterview, Kentucky, which memorial is as follows:

“Waterview, Ky., Jan. 11, 1918.

“To the Members of the Legislature:

“GENTLEMEN:— We ask that you enact laws prohibiting the manufacture and sale of intoxicating liquor in the State of Kentucky, as our government put license on liquor and made it a part of the business of the United States, therefore it is your right and duty to blot this evil out. The Secretary of State, at Washington, D. C., informed me that this matter belongs to the several States and not to the Federal Government, and we are convinced that the 1918 session of the General Assembly of Kentucky should make these prohibiting laws, for our government, by licensing men to make and sell intoxicating liquor is supporting a thing that kills and wrecks human lives and has caused more misery than everything else on earth; it creates drunkards, criminals, thieves, robbers, murderers; destroys character, happiness, health and life; fills jails, lunatic asylums and penitentiaries; sends souls to the place where the worm dieth not and the fire is never

quenched; our government does not need such blood bought money to support it, and you should know how small is the revenue compared with the cost of carrying the wreckage. We are praying that your minds may be opened to the conviction that no revenue can justify you in placing this deadly temptation before the people, this great organized power of the whiskey trade is threatening the future life of our nation, therefore it is time for our nation to awake to this peril; it is the greatest foe to our national life; it unfits men for public and private duties. We learn in the word of God, that when nations lose control of themselves and become a menace to the world that God destroys them and without mercy, and the future of our nation is not yet assured, the battle has not been fought nor the victory won, and God says the battle is not always to the strong, and He rules the destiny of nations. This evil may triumph for a while, but God is stronger than all the powers of evil. Gentlemen, work against this evil with all of your power; stand shoulder to shoulder, regardless of party or politics. If you fail to do your duty I fear this war cloud that is hanging over our nation will burst with cyclonic force and this great nation of ours will be rent and torn asunder as all great nations in the past who have allowed their national affairs to become so corrupt as ours. God is giving you this opportunity and you who fail will be weighed in the balance by the Ruler of the heavens and the earth, and you will be found wanting. Gentlemen, when you go to vote may you listen to the still small voice that comes sounding down from the Galilean hills that said let your light so shine before the world that they might see your good works and glorify your Father in heaven.

“I am, yours in the Lord’s service,

“MRS. JOE HUDDLESTON,

“*President of the Woman’s Missionary Society of
M. E. Church South, Griders Chapel.*”

Said communication was referred to the Committee on Alcoholic Liquor Traffic.

Mr. Lee offered the following resolution, viz.:

Whereas, the House of Representatives has received the biographical directory of the Kentucky General Assembly, for the session of 1918, being brief sketches of members arranged alphabetically and by districts, published and issued for free distribution by the Louisville Times and the Courier-Journal, and,

Whereas, copies of this booklet have been distributed among the members by a representative of aforesaid newspapers, and,

Whereas, Will S. Kaltenbacher, political editor of the Times, and for years legislative correspondent at Frankfort, has compiled this pamphlet for the use of members and others interested in the work of the General Assembly, therefore,

Be it resolved, that the House of Representatives takes this opportunity to extend its thanks to the Louisville Times and the Louisville Courier-Journal, and to Will S. Kaltenbacher for this work, and that this resolution be spread upon the journal of the House, and that copies of the same be forwarded to Gen. W. B. Haldeman, editor of the Times, and to Henry Watterson, editor of the Courier-Journal, and to Will S. Kaltenbacher, political editor of the Times.

Said resolution was adopted.

Mr. R. T. Smith offered the following resolution, viz.:

Be it resolved that there be no smoking allowed in the House.

Mr. Klair offered the following amendment to said resolution, viz.:

Amend by adding at the end of said resolution the following words: "Chewing tobacco shall also be prohibited in the House chamber."

Mr. Klair moved that said resolution and amendment be referred to the Committee on Rules.

Said motion was agreed to.

Mr. Waggoner, of the Committee on Public Roads and Highways, to which the same had been referred, reported, and moved its adoption, a resolution of the following title, viz.:

H. Res. 4. Joint resolution memorializing Congress to create a national highway along the sector of the Dixie Highway between the Kentucky river on the north and Knoxville, Tenn., on the south; to declare same a military post road; and to appropriate by Congress a sufficient sum of money for its immediate construction.

(For said resolution see H. J. January 14.)

Said resolution was adopted.

Mr. Lee called from the Clerk's desk for consideration a resolution of the following title, viz.:

H. Res. 10. A joint resolution memorializing the Congress of the United States in regard to the immediate necessity of providing highway transportation connecting the States of the middle west, and all territory north of the Ohio river, with the southern States and the Atlantic Seaboard and Gulf Territories; petitioning Congress to enact a law creating a military post road on that section of the Dixie Highway, in the States of Kentucky and Tennessee, lying and extending between Louisville, Ky., on the north and Nashville, Tenn., on

the south, and appropriating by Congress of a sufficient sum of money, to be available at once, for the immediate construction of said designated highway.

(For said resolution see H. J. January 23.)

Said resolution was adopted.

Mr. L. B. Hamilton offered the following resolution, viz.:

Whereas, Ovid Herrick, a resident of Franklin county, and a member of the regular army, gave up his life on the battle fields of France for the cause of liberty, and,

Whereas, his is the first life that has been given in this community,

Therefore, be it resolved by the House of Representatives that we extend our sympathies to Mrs. Lizzie Herrick, the mother of said Ovid Herrick, and express to her our deep appreciation that her son was called upon to make the supreme sacrifice for our cause in foreign lands.

Be it further resolved, that these resolutions be spread at length upon the records of this House, and that a copy thereof attested by the Clerk be mailed to Mrs. Herrick.

Said resolution was adopted.

Mr. McDonogh offered the following joint resolution, viz.:

H. Res. 11. Joint resolution employing stenographer to the Clerk and two assistant doorkeepers for the House of Representatives of Kentucky.

Be it resolved by the House of Representatives, the Senate concurring:

That the Speaker of the House of Representatives be, and he is hereby, authorized and directed to employ a stenog-

rapher to the Clerk of the House of Representatives, and two assistant doorkeepers, one for the door on the right hand side of the Assembly room, and the other for the door on the left hand side of the Assembly room, each of the said employees to receive a salary of \$5.00 per day during the 1918 session for services performed or to be performed, and the Auditor of Public Accounts is hereby directed to draw his warrant on the State Treasurer for the payment of said salary.

The duties of said stenographer shall be designated by the Chief Clerk of the House of Representatives.

To the Committee on Appropriations.

Mr. Rice called up from the Clerk's desk for consideration the following joint resolution, viz.:

H. Res. 8. Resolution assuring the National Government of the loyalty and sympathy of the people of this Commonwealth and pledging the united support in the prosecution of the war against autocracy.

(For said resolution see H. J. January 23.)

Said resolution was adopted.

Mr. Dill called up from the Clerk's desk for consideration a joint resolution of the following title, viz.:

H. Res. 7. Joint resolution providing for the appointment of a committee to investigate the possibility of establishing a State Printery and Bindery.

(For said resolution see H. J. January 23.)

Said resolution was adopted.

Mr. Gilbert offered the following resolution, viz.:

Resolution for the employment of necessary assistance for the House of Representatives, and providing for the services rendered.

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the Speaker of the House of Representatives, be, and he is, authorized to employ Miss Ruby Burton stenographer for the House, to-wit: to be paid five (\$5.00) dollars per day, and one stenographer to the House to be paid at the rate of five (\$5.00) dollars per day. To be paid for each and every day they have been or may be employed during the 1918 session.

The presiding officer of the House of the General Assembly shall at once furnish a list of each such employee to the Chief Clerk of the House of Representatives, together with the per diem to be paid to each, and the Clerk shall certify to the Auditor of Public Accounts the amount due each such employee, and the Auditor shall thereupon draw his warrant upon the Treasurer for such amount due, and shall direct the payment out of the general expenditure fund of the Commonwealth.

To the Committee on Appropriations.

Messrs. Spurrier, Cobb and Minor, the committee appointed to wait upon and inform General M. M. Logan that the House had invited him to make an address on the subject of the new tax law, retired and after a time reported that General Logan accepted the invitation and was now ready to address the House.

Whereupon, in accordance with a motion heretofore made and agreed to, the House resolved itself into a Committee of the Whole for the purpose of hearing General Logan's address.

Mr. Speaker Crowe designated Mr. H. V. Bell to preside as Chairman of the Committee of the Whole.

Mr. Speaker then vacated the chair.

Mr. H. V. Bell presided as Chairman of the Committee of the Whole.

General Logan was then presented and addressed the Committee of the Whole.

After a time Mr. Klair moved that the Committee of the Whole rise and report.

Said motion was agreed to.

Mr. Speaker Crowe resumed the chair.

Mr. Bell, chairman of the Committee of the Whole, reported that said committee had heard Mr. Logan's address on the subject of the new tax law and further reported progress.

The House was then in order.

Mr. Klair moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 65. An act to amend and re-enact subsection 1 of section 2596b, Acts of 1915, relating to anti-shipping liquor bill.

H. B. 10. An act amending section 612a, Carroll's Kentucky Statutes relating to combined bank and trust companies;

providing the manner in which combined bank and trust companies may be organized; fixing the amount of capital of combined bank and trust companies and providing how the capital of combined bank and trust companies shall be used or employed.

H. B. 77. An act to amend an act approved December 3, 1893, entitled "An act relating to interest and usury."

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read by their titles and ordered to be placed in the orders of the day.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the Acts of the extraordinary session of 1917, relating to the expenses and employees of the State Tax Commission.

Mr. Klair moved that said bill be referred to the Committee on Appropriations with leave to report at any time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 2. An act to amend and re-enact sections 4046 and 4052, Kentucky Statutes, edition 1915, relating to the assessment of property for taxation.

Mr. Klair moved that said bill be recommitted to the Committee on Revenue and Taxation with leave to report at any time.

Said motion was agreed to.

Mr. Phelps moved that when this House adjourns today it be to meet tomorrow morning at eleven o'clock.

Said motion was agreed to.

Mr. Howard moved that the rules be suspended and the standing committees called for reports on bills.

Said motion was agreed to.

Mr. Beckman, of the Committee on Municipalities, reported the following bills, viz.:

H. B. 21. An act to further amend and re-enact section 3194 of the Kentucky Statutes relating to sinking funds in cities of the second class.

By Same:

H. B. 23. An act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class, in which there is located circuit courts of continuous session, prescribing the method of appointment and removal, the duties, powers and salary and the method of payment of such officer.

By same:

H. B. 96. An act to amend section 4642, Kentucky Statutes, Carroll's edition, 1915, relating to fees of official stenographic reporters in counties having a population of 150,000 or more.

By Mr. O'Bannon, of the Committee on Constitutional Amendments:

S. B. 3. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting, after

June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof, and a way by which it shall be submitted to the people for their approval or rejection.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Howard moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, JANUARY 25, 1918.

The House was opened with prayer by the Rev. J. J. Gravatt, pastor of the Episcopal Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Ed. L. Allen	Everett Cobb	M. E. Gilbert
Chas. Ashby	John Cook	W. H. Hager
L. D. Baldauf	A. S. Cooper	J. S. Hall
J. H. Ballard	Fred Cornelius	A. L. Hamilton
Robert Bays	W. P. Cropper	L. B. Hamilton
W. T. Beckham	James S. Cruse	E. C. Hardin
H. V. Bell	J. C. Davis	B. H. Harris
Leroy Bonta	Harry Dill	David J. Howard
W. P. Bowman	H. L. Dixon	A. R. Hudson
O. V. Brown	W. G. Dycus	J. W. Johnson
R. J. Cain	F. A. Easterling	Leslie P. Jones
T. L. Caudel	I. H. Gabbard	Griffin Kelly
H. C. Chappell	Lark Garnett	H. A. Knollmann

S. D. Laughlin	W. F. Paris	Ben Street
M. E. Lee	Lilburn Phelps	John W. Swope
J. E. Lilly	Luther Pieratt	Claude M. Thomas
Claude D. Minor	Ote Piper	Geo. F. Thompson
S. H. Moore	H. C. Rice	J. T. Thornton
John T. Murphy	Lewis Ryans	S. G. Thornberry
Ryland C. Musick	Avery Sartin	J. Wood Vance
A. J. McCandless	Joe Schneider	F. C. VanHoose
S. Lee McGohan	Claude B. Smith	Geo. C. Waggoner
H. C. McLellen	R. T. Smith	G. Frank Walthal
W. B. O'Bannon	T. J. Smith	W. N. Winn
T. P. Oliver	Thomas Spurrier	—74

On motion of Mr. Lee the reading of the Journal of yesterday was dispensed with and the Journal approved.

Mr. E. G. Young was granted an indefinite leave of absence.

Mr. T. R. Welch was granted an indefinite leave of absence.

Upon a call of the counties and Representative Districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Chappell:

H. B. 178. An act to amend an act, section 1309, Kentucky Statutes, Carroll's 1915 edition, relating to carrying concealed deadly weapons.

To the Committee on Criminal Law.

By Mr. Harris:

H. B. 179. An act to amend and re-enact chapter 126 of the Acts of 1912, being section 4758a of the Kentucky Stat-

utes, and entitled "An act to regulate the assignment, sale, pledge, mortgage and other transfer of wages to be earned or paid in the future where a whole or a part of the consideration therefor is a sum of money of less than \$200.00," approved March 18, 1912.

To the Committee on Kentucky Statutes.

By Mr. Kelly:

H. B. 180. An act to repeal and re-enact section 1 of chapter 31 of the acts of the General Assembly, 1916, which is an act for the protection of game birds and game animals; fixing open and closed seasons and providing penalties for violation.

To the Committee on Fish and Game.

By same:

H. B. 181. An act making it unlawful to take certain varieties of fish from streams forming the boundaries between this State and any other State and from certain navigable streams in this State by seine or net or by hand, and providing the necessary regulations therefor and defining the powers and duties of certain officers.

To the Committee on Fish and Game.

By Mr. Piper:

H. B. 182. An act to make it lawful to catch fish with a seine or net in navigable and non-navigable streams; prescribing regulations and providing penalties.

To the Committee on Fish and Game.

By Mr. Ballard:

H. B. 183. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1909, relating to public printing, binding and stationery, which is now section 3956, Kentucky Statutes, 1915.

To the Committee on Printing.

By Mr. Cook:

H. B. 184. An act to repeal subsection 34 of section 2739, Kentucky Statutes, Carroll's 1915 edition, and re-enact same.

To the Committee on Revenue and Taxation.

By Mr. Murphy:

H. B. 185. An act to amend an act entitled an act to amend and re-enact section 1, chapter 31, of an act entitled an act providing for the creation of and regulation of private corporations, approved March 31, 1896, and being section 603 of the Kentucky Statutes, approved March 15, 1898.

To the Committee on Banks and Banking.

By Mr. Meyers:

H. B. 186. An act to amend an act entitled an act to punish derogatory statements affecting any bank, savings bank or trust company, approved March 18, 1914, and to make the provisions of said act applicable to domestic insurance companies.

To the Committee on Banks and Banking.

By Mr. Hardin:

H. B. 187. An act dividing Kentucky into Thirty-eight Senatorial Districts.

To the Committee on Redistricting—Legislative.

By Mr. Dycus:

H. B. 188. An act to prevent killing of quail and pheasants for a period of five years.

To the Committee on Fish and Game.

By Mr. Phelps:

H. B. 189. An act to regulate the admission of attorneys to practice law.

To the Committee on Judiciary.

Mr. Claude B. Smith moved that H. B. 24, which was referred to the Committee on Charitable Institutions, and which carries with it an appropriation, be now referred to the Committee on Appropriations.

Said motion was agreed to.

Mr. Musick offered the following resolution, viz.:

Be it resolved by the House of Representatives as follows:

That it is hereby made the duty of the janitor of the House, with the assistance of the help available, to take charge of all printed bills and to properly file same in the bill room and to provide the pages of this House, thirty minutes before the House convenes on each day, with one hundred copies of each bill and that the pages of the House be

on hand at such time, and place each of such bills in numerical order on the desks of each member.

The janitor of the House is further ordered to have collected all bills from the desks of members left thereon and to return and file same in the bill room of this House with other bills of like number.

Said resolution was adopted.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Vance, of the Committee on Federal Relations:

H. B. 123. An act to prevent and punish the desecration, mutilation or improper use, within the Commonwealth of Kentucky, of the flag of the United States of America, and prescribing penalty therefor.

By Mr. Claude M. Thomas, of the Committee on Agriculture:

H. B. 125. An act empowering owners of farms to name them, and providing for the registering thereof; and preventing the use of the registered name for any farm, other than the one registered.

With an amendment thereto.

By Mr. Gilbert, of the Committee on Court of Appeals:

H. B. 124. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement or dissolution of temporary injunctions by a judge of the Court of Appeals.

By Mr. Waggoner, of the Committee on Public Roads and Highways:

H. B. 63. An act to amend and re-enact an act to provide revenue and taxation for roads and bridges for magisterial districts and to give people the right to vote for revenue to improve roads and bridges in said magisterial districts.

By same:

H. B. 107. An act to provide compensation for men warned out and required to work upon the public roads of this Commonwealth and fixing the powers and duties of the fiscal courts, county judges and overseers relative thereto and prescribing the penalties for presenting fraudulent claims hereunder and providing a tax to meet such expenses and amending and re-enacting section 43560, Kentucky Statutes, Carroll's 1915 edition.

Mr. Howard indicated the hour for the orders of the day, namely, twelve o'clock, noon, and moved that the orders of the day be postponed until all committees have had an opportunity to report.

Said motion was agreed to.

By Mr. Thornberry, of the Committee on Retrenchment and Reform:

H. B. 94. An act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any premises used for such purposes.

By Mr. Phelps, of the Committee on County and City Courts:

H. B. 12. An act fixing the jurisdiction of county courts, justices' courts and police courts in criminal cases.

By same:

H. B. 122. An act to amend and re-enact sections 3513 and 3523, Kentucky Statutes, relating to city courts.

By Mr. Cobb, of the Committee on Cities of the Fifth and Sixth Class:

H. B. 5. An act relating to cities of the fifth class, chapter 89, Kentucky Statutes, and providing for publication of ordinances.

With an amendment thereto.

By Mr. Radcliffe, of the Committee on Insurance, Life and Accident:

H. B. 126. An act to provide whole family protection for members of fraternal benefit societies.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Claude M. Thomas, of the Committee on Agriculture, to which Committee the same had been referred, reported a bill of the following title, with the expression of opinion that same ought not to pass, viz.:

H. B. 46. An act to prohibit the slaughter of calves under twelve months of age except male Jersey calves, and providing a penalty for a violation of this act.

Mr. Moore, of the Committee on Public Offices, to which committee the same had been referred, reported a bill of the

following title, with the expression of opinion that same ought not to pass, viz.:

H. B. 47. An act making it unlawful for any officer, servant or employee of the State of Kentucky, or any city therein, or of the Federal Government, to influence, control, directly or indirectly, the caucus nomination of any officer or employee or servant of the General Assembly of Kentucky.

Mr. Murphy moved that when this House adjourns today it be to meet again on Tuesday next, January 29th, 1918, at ten thirty o'clock a. m.

Said motion was agreed to.

By unanimous consent of the House, Mr. L. B. Hamilton offered the following resolution, viz.:

Whereas, the Hon. Mazyck O'Brien, member of this House of Representatives of 1916 and 1917 sessions, some time ago offered his services to his country, and,

Whereas, if necessary, he offered his life to make democracy and freedom and liberty safe,

Whereas, the Hon. Mazyck O'Brien is now stationed at Camp Zachary Taylor, as Captain in the United States army, therefore,

Be it resolved by the House of Representatives that we commend his patriotism, and,

Be it further resolved, that a copy of this resolution be mailed to the Hon. Mazyck O'Brien, attested to by the Chief Clerk of this House.

Said resolution was adopted.

Mr. Hardin offered the following joint resolution, viz.:

H. Res. 12. Resolution deploring the action of certain representatives in the United States Congress.

Whereas, Senator W. J. Stone, of Missouri, has recently felt called upon to make certain statements in a speech upon the floor of the United States Senate, and,

Whereas, he has, as we believe, made certain unjust and unbecoming remarks concerning his fellow citizens who happen to be of a different political faith, and,

Whereas, such statements as are attributed to Senator Stone are calculated to bring about discord rather than harmony among the American people at a time when harmony and cooperation are so essential to the preservation and the perpetuity of the American Union, and,

Whereas, our nation is now engaged in the most titanic struggle for the universal dissemination of the principles of justice, liberty and democracy the world has ever known, and,

Whereas, the speech of Senator Stone elicited a retort in like spirit from Senator Penrose, of Pennsylvania, therefore,

Be it resolved by the House of Representatives of the General Assembly of Kentucky, the Senate concurring:

That we greatly deplore the uncalled for occurrence and regret that men who have been honored by the American people with a seat in the greatest deliberative body in the world, will so far forget themselves and their country's interest as to engage in an uncalled for debate that could serve no purpose except to stir up partisan and sectional strife and cripple and impede the progress of our government in the most trying hour of its history; that we believe that such an occurrence is not only unwarranted but unpatriotic and un-American; that it is our solemn conviction that the present is no time for the settlement of party strife or party differences, but rather a period in our national life when these trivial considerations, not only should, but will be thrown aside by every true patriot and statesman in order that the nation may march shoulder to shoulder in solid phalanx against the common enemies of our homes, our liberties and

our country and remembering always that for every advantage which may have contributed to distinguish our lot from that to which others have been doomed by the unhappy spirit of the time, we are indebted to that Divine Providence, whose goodness has been so wonderfully and benignly extended to this nation in the past, therefore, it becomes us, at this time, to cherish a devout gratitude and to implore from the same omnipotent source a blessing upon all the means that are being employed for the welfare of our beloved country and for the liberty and continued happiness of all the people of the world

Resolved, that a copy of this resolution be spread upon the journals of the Senate and House and that a copy, properly attested by the Clerk of the House, be sent to the Clerk of the United States Senate.

Ordered, that said resolution lie on the Clerk's desk.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 21. An act to further amend and re-enact section 3194 of the Kentucky Statutes, relating to sinking funds in cities of the second class.

H. B. 23. An act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class, in which there is located circuit courts of continuous session, prescribing the method of appointment and removal, the duties, powers and salary and the method of payment of such officer.

H. B. 96. An act to amend section 4642, Kentucky Statutes, Carroll's edition, 1915, relating to fees of official stenographic reporters in counties having a population of 150,000 or more.

S. B. 3. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting after June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions, and providing for the enforcement thereof, and a way by which it shall be submitted to the people for their approval or rejection.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read by their titles and ordered to be placed in the orders of the day.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 14. An act making unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

To the Committee on Alcoholic Liquor Traffic.

S. B. 57. An act to amend and re-enact subsection 10 of section 12 of chapter 1 of the Acts of the extraordinary session of the General Assembly of 1917, relating to the conference of the county tax assessors.

To the Committee on Revenue and Taxation.

S. B. 58. An act to amend and re-enact section 6 of chapter 1 of the Acts of the extraordinary session of 1917, relating to the expenses and employees of the State Tax Commission.

To the Committee on Appropriations.

Mr. Lee moved that this House do now adjourn.

Said motion was agreed to.

And then in accordance with a motion heretofore made and agreed to the House adjourned to meet on Tuesday next, January 29th, 1918, at ten thirty o'clock a. m.

TUESDAY, JANUARY 29, 1918.

The House was opened with prayer by the Rev. C. L. Bohon, pastor of the Methodist Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	T. L. Caudel	J. S. Hall
Chas. Ashby	H. C. Chappell	E. C. Hardin
L. D. Baldauf	John Cook	B. H. Harris
Robert Bays	A. S. Cooper	David J. Howard
W. T. Beckham	Fred Cornelius	Joe Huddleston
B. C. Beckmann	W. P. Cropper	A. R. Hudson
H. V. Beli	James S. Cruse	J. W. Johnson
Leroy Bonta	J. C. Davis	Leslie P. Jones
W. P. Bowman	Harry Dill	Griffin Kelly
J. L. Bradford	J. M. Elliston	W. F. Klair
O. V. Brown	I. H. Gabbard	H. A. Knollmann
R. J. Cain	W. H. Hager	S. D. Laughlin

M. E. Lee	T. P. Oliver	Elmore Thomas
J. E. Lilly	W. F. Paris	Geo. F. Thompson
Clarence Miller	Ote Piper	W. F. Trusty
S. H. Moore	H. C. Rice	F. C. VanHoose
Claude D. Minor	Joe Schneider	Geo. C. Waggoner
A. J. McCandless	Claude B. Smith	G. Frank Walthal
H. C. McGehee	R. T. Smith	W. N. Winn
S. Lee McGohan	Thomas Spurrier	E. G. Young
H. C. McLellen	Ben Street	
W. B. O'Bannon	Claude M. Thomas	

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Upon motion of Mr. Meyers the reading of the Journal of January 25th, 1918, was dispensed with and Journal approved.

Mr. Easterling was granted an indefinite leave of absence on account of illness.

The hour for the Special Joint Session of the House and Senate having arrived, namely, 11:30 a. m., a committee from the Senate, composed of Senators L. N. Smith, Richardson and Simms, notified the House that the Senate had recessed for the purpose of carrying out said Special Joint Order, namely, the address to be delivered by the Hon. Fred M. Sackett, Food Administrator of Kentucky.

On motion of Mr. Klair the Speaker appointed a committee, composed of Messrs. Spurrier and Winn to notify the Senate that the House was ready to carry out the Joint Special Order, as above mentioned.

Thereupon the Senate in order appeared and entered and took seats upon the floor of the House Chamber.

Mr. Speaker Crowe vacated the Chair.

The President of the Senate presided over the Joint Special Session.

Senator L. M. Smith moved that a committee be appointed to escort the speaker to the stand.

Said motion was agreed to.

Whereupon the presiding officer appointed Senator L. M. Smith and Representatives Minor and Young as such committee.

Hon. Fred M. Sackett appeared before said Joint Special Session and addressed the same on the subject of food conservation.

After a time Mr. Klair moved that said Joint Session rise.

Said motion was agreed to.

Thereupon the Speaker resumed the Chair; the Senate in order retired to the Senate Chamber.

The House was then in order.

Mr. R. T. Smith moved that the House extend thanks to the Hon. Fred M. Sackett for the comprehensive address delivered by him.

Said motion was unanimously agreed to.

A message was received from the Senate announcing that they had passed a bill originating in that body of the following title, viz.:

S. B. 61. An act to prohibit the shipment and delivery of intoxicating liquors in local option territory, and prohibiting any person in such territory from receiving such liquors, prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

To the Committee on Alcoholic Liquor Traffic.

Mr. Klair moved that the orders of the day be postponed until after a call of the counties and representative districts for the introduction of bills.

Said motion was agreed to.

Upon a call of the counties and Representative Districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Huddleston:

H. B. 190. An act to repeal section 2505, Kentucky Statutes, Carroll's edition, 1915.

To the Committee on Kentucky Statutes.

By Mr. Bell:

H. B. 191. An act amending sections 73, 74, 177, 185 and repealing and re-enacting section 186 and repealing section 183 of chapter 24 of the Acts of 1916, relative to certification of teachers and also amending sections 2, 16, 51, 207, 121 and 212 of chapter 24, Acts of 1916, and subsection 31 of section 2978a, and subsection 34 of section 3235a and sections 3470, 3588 and 3596, Kentucky Statutes, 1915, Carroll's edition, changing the age limit for school census enumeration and also amending sections 24 and 177 of chapter 24, Acts of 1916, making agriculture a required subject in the common school course after July 1, 1920, and amending section 46, chapter 24, of the Acts of 1916, relative to the qualifications of county superintendents and repealing section 50, chapter 24, Acts of 1916, fixing the salary of county superintendents, by repealing and amending and re-enacting same, and amending section 181, chapter 24, of the Acts of 1916, relative to

the State Board of Education granting certificates to graduates of institutions of higher learning whether within or without the State, and repealing and re-enacting sections 78 and 87 of chapter 24 of the Acts of 1916, relating to change in boundaries of subdistricts and amending section 129 of chapter 24 of the Acts of 1916, relating to the amount of taxes counties may levy for local purposes. Said chapter 24 of the Acts of 1916 was an act entitled:

“An act to repeal chapter 113 of the Kentucky Statutes, Carroll’s edition of 1915, being sections 4363 to 4535 inclusive, except section 4421a and 4421b and sections 4527 to 4535c inclusive, and re-enact the same chapter with the articles and sections corrected, re-arranged, simplified and the repealed sections and parts of sections omitted and fixing the time of year at which text book adoption shall be made.”

To the Committee on Education No. 1.

By Mr. Klair:

H. B. 192. An act to regulate the use and sale of wood alcohol.

To the Committee on Public Health.

By same:

H. B. 193. An act to appropriate money for the necessary repairs and improvements in the protection of life and property and an emergency plant for lighting and heating at the State Reformatory, Frankfort, Kentucky.

To the Committee on Appropriations.

By Mr. Phelps:

H. B. 194. An act to provide for the teaching of elementary agriculture in the common schools of Kentucky, except in cities of the first, second, third and fourth classes, and to require teachers to be examined on said subject.

To the Committee on Education No. 2.

By Mr. A. L. Hamilton:

H. B. 195. An act to accept the conditions of an act of Congress of United States entitled "An act to provide for the promotion of vocational education; to provide for co-operation with the States for the promotion of such education in Agriculture and the trades and industries; to provide for the co-operation with the State in preparing of teachers for vocational subjects; and to appropriate money and regulate its expenditure;" and to provide for the inspection of secondary schools maintaining vocational courses and appropriate money to enable the Commonwealth of Kentucky to receive benefits of the act and to provide for the expenses of such secondary schools.

To the Committee on Appropriations.

By Mr. L. B. Hamilton:

H. B. 196. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested; providing inspectors and challengers in such election; providing penalties and defining crimes in connection with such election.

To the Committee on Suffrage and Elections.

By Mr. Johnson:

H. B. 197. An act to require the payment of all wages to an employee who may be discharged.

To the Committee on Immigration and Labor.

By Same:

H. B. 198. An act relating to the drainage of lands, establishing and construction of public ditches and drains and the straightening, widening, deepening or otherwise improving public ditches, drains, creeks or non-navigable streams, and prescribing the method of procedure, etc.

To the committee on Public Ditches and Fences.

By Mr. Van Hoose:

H. B. 199. An act repealing, amending and re-enacting section 215 of the Acts of 1916, chapter 24, and repealing, amending and re-enacting section 216, chapter 24, Acts 1916, and repealing, amending and re-enacting section 217, chapter 24, Acts 1916, of the compulsory attendance law.

To the Committee on Education No. 1.

By Mr. O'Bannon:

H. B. 200. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-operate with State and Government authorities in holding agricultural meetings and making an appropriation therefor.

To the Committee on Appropriations.

By same:

H. B. 201. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties, and providing an appropriation therefor.

To the Committee on Appropriations.

By Mr. Dycus:

H. B. 202. An act to amend section 428, Code of Practice, that no suit shall be brought on decedent estate until six months have elapsed only by an administrator of said estate.

To the Committee on Codes of Practice.

By Mr. Sartin:

H. B. 203. An act relating to elections in this Commonwealth prohibiting any candidate to run in a final election on any ticket after having been defeated in the preceding primary election.

To the Committee on Suffrage and Elections.

By same:

H. B. 204. An act making it unlawful for any parent or guardian within this Commonwealth to refuse to give in the name of any child within school age to the trustee of any school district.

To the Committee on Education No. 2.

By same:

H. B. 205. An act prohibiting the throwing or depositing of sawdust into any running stream outside of an enclosed plantation and fixing the penalty therefor.

To the Committee on Criminal Law.

By same;

H. B. 206. An act to amend subsection 4 of chapter 13 of the Acts of the General Assembly of 1916, relating to corrupt practice, by inserting after the word "on" at the end of line four of said subsection, the words "or before," and by inserting after the word "on," in line six of said subsection, the words "or before."

To the Committee on Suffrage and Elections.

By Mr. Street:

H. B. 207. An act to appropriate money for the purchase of land for prison farm in Franklin county, Kentucky, pursuant to an act of the General Assembly, approved March 19, 1914.

To the Committee on Appropriations.

By Mr. Walthal:

H. B. 208. An act to appropriate money for the necessary repairs and improvements in the protection of life and property at the State penitentiary, Eddyville, Kentucky,

To the Committee on Appropriations.

By Mr. Cook:

H. B. 209. An act to protect game and prevent the running at large of bird dogs, and providing a penalty therefor.

To the Committee on Fish and Game.

By Mr. Dill:

H. B. 210. An act relating to revenue and taxation, fixing the amount of commissions of persons, firms or corpora-

tions selling combination or French pools, requiring a license tax to be paid to the State by persons engaged in said business, providing for the inspection and supervision of Pari Mutuel Machines, books and papers by the State Tax Commission, requiring reports, fixing fines and penalties, and repealing existing laws.

To the Committee on Racing Commission.

By same:

H. B. 211. An act concerning loan and investment companies in cities of the first and second class, defining same and providing for the incorporation, powers, supervision and control of such companies.

To the Committee on Municipalities.

Mr. Hudson moved that House Bill 133 be reprinted by the public printer in order that the same may be printed correctly.

Said motion was agreed to.

Mr. Waggoner moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 123. An act to prevent and punish the desecration, mutilation or improper use, within the Commonwealth of Kentucky, of the flag of the United States of America, and prescribing penalty therefor.

H. B. 125. An act empowering owners of farms to name

them, and providing for the registering thereof; and preventing the use of the registered name for any farm, other than the one registered.

H. B. 124. An act to repeal and re-enact section 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement, or dissolution of temporary injunctions by a judge of the Court of Appeals.

H. B. 63. An act to amend and re-enact an act to provide revenue and taxation for roads and bridges for Magisterial Districts, to give people right to vote for revenue to improve roads and bridges in said Magisterial Districts.

H. B. 107. An act providing compensation for men warned out and required to work upon the public roads of this Commonwealth and fixing the powers and duties of the fiscal courts, county judges and overseers relative thereto, and prescribing the penalties for presenting fraudulent claims hereunder and providing a tax to meet such expenses and amending and re-enacting sec. 43560, Kentucky Statutes, Carroll's 1915 edition.

H. B. 94. An act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any premises used for such purposes.

H. B. 12. An act fixing the jurisdiction of county courts, justices' courts and police courts in criminal cases.

H. B. 122. An act to amend and re-enact sections 3513 and 3523, Kentucky Statutes, relating to city courts.

H. B. 5. An act relating to cities of the 5th class, chapter 89, Kentucky Statutes, and providing for publication of ordinances.

H. B. 126. An act to provide whole family protection for members of fraternal benefit societies.

The provision of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

By the unanimous consent of the House, Mr. L. B. Hamilton offered the following resolution, viz.:

Whereas, the Hon. Burnet Jenkins will address a joint session of this Legislature Wednesday, January 30, 1918, and

Whereas, his lecture is to be the "Battle Front,"

Be it resolved, that the Custodian be directed to decorate this House Chamber with flags and other decorations suitable for this occasion.

Said resolution was adopted.

The committee to which the same had been referred, reported bills of the following titles, viz.:

By Mr. Bonta, of the Committee on Suffrage and Elections:

H. B. 16. An act relating to elections, and providing means of special registration for officers and employes of the Commonwealth or of the United States.

By same:

H. B. 111. An act relating to election returns of districts composed of more than one county.

Said bills were reported with the expression of opinion that same ought to pass.

Said bills were severally read the first time at length, and ordered to be placed in the calendar.

The committee to which the same had been referred reported a bill of the following title, with the expression of opinion that same ought not to pass, viz.:

By Mr. Bonta, of the Committee on Suffrage and Elections:

H. B. 8. An act to amend section 1541, chapter 41, of the Kentucky Statutes, relating to elections.

The following communication was laid before the House by the Speaker, viz.:

“Louisville, Ky., January 25th, 1918.

“*Hon. R. T. Crowe, Speaker, House of Representatives, Frankfort, Kentucky:*

“DEAR SIR:—The General Assembly of this State has acted, it would seem to us, too hastily in approving the proposed prohibition amendment to our national constitution, for the reason that seven years has been allotted for consideration and action, and because the question has been raised by Senator Borah, ex-Attorney-General of the United States, George W. Wickersham, and other men of great reputation and acknowledged ability, as to whether it has been submitted in a constitutional manner, and we therefore make bold to petition your Excellency that you will request both the House and Senate of Kentucky to give this trade a hearing before final action is taken in regard to the proposed amendment to the Constitution of Kentucky.

“We have large interests in this State, and our investments were made under the full sanction of our laws, our original purchases being from the farmers of Kentucky, who introduced distilling into this Commonwealth, and it would

seem to us only fair that we be permitted to register our protests against the destruction of our properties without compensation, and our criticisms of the amendment proposed which will bring chaos but not prohibition.

"We ask for a hearing before a joint session of both Houses, believing that our request is entirely reasonable and feeling assured that we can conclusively show that the amendment proposed is purely destructive and of no value as a means of suppressing either the use or the abuse of alcoholic beverages.

"Trusting that we may receive a favorable response, we are,

"Most respectfully yours,

"KENTUCKY DISTILLERIES AND WHOLESALE LIQUOR
DEALERS ASSOCIATION.

"By J. B. WATHEN, JR., *President.*"

Mr. Claude M. Thomas moved that said communication be received and filed and that the Speaker be directed to notify the writer of same that in so far as this House is concerned the matter is closed.

Said motion was agreed to.

Mr. Waggoner moved that S. B. No. 3 be made a special order of this House tomorrow, January 30th, at 12 o'clock, noon.

The yeas and nays being required thereon by Messrs. Klair and Meyers, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. P. Bowman	A. S. Cooper
L. D. Baldauf	J. L. Bradford	Fred Cornelius
J. H. Ballard	T. L. Caudel	James S. Cruse
W. T. Beckham	H. C. Chappell	W. G. Dycus
H. V. Bell	John Cook	I. H. Gabbard

Lark Garnett	S. H. Moore	T. J. Smith
L. B. Hamilton	A. J. McCandless	Claude M. Thomas
B. H. Harris	S. Lee McGohan	Elmore Thomas
David J. Howard	T. P. Oliver	S. G. Thornberry
Joe Huddleston	W. F. Paris	F. C. VanHoose
A. R. Hudson	Luther Pieratt	Geo. C. Waggoner
Leslie P. Jones	Ote Piper	G. Frank Walthal
Griffin Kelly	Richard Radcliffe	W. N. Winn
S. D. Laughlin	Avery Sartin	E. G. Young
Claude D. Minor	R. T. Smith	—44

Those who voted in the negative were—

Robert Bays	W. F. Klair	H. C. Rice
B. C. Beckmann	H. A. Knollmann	Lewis Ryans
J. C. Davis	J. E. Lilly	Joe Schneider
Harry Dill	Harry J. Meyers	Thomas Spurrier
J. M. Elliston	John T. Murphy	Ben Street
W. H. Hager	H. C. McGehee	Geo. F. Thompson
J. S. Hall	W. B. O'Bannon	W. F. Trusty
A. L. Hamilton	A. J. Oliver	T. R. Welch
J. W. Johnson	Lilburn Phelps	—26

Said motion was agreed to.

Mr. Clarence Miller, representative-elect, Estill and Powell counties, this day presented himself before the bar of the House of Representatives and took the oath of office prescribed by the Constitution of Kentucky, which oath was administered to him by William G. Baxter, Deputy Clerk of the Court of Appeals.

Mr. Meyers moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, JANUARY 30, 1918.

The House was opened with prayer by the Rev. C. L. Bohon, pastor of the Methodist Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Ed. L. Allen	J. S. Hall	A. J. Oliver
W. J. Bailey	A. L. Hamilton	T. P. Oliver
L. D. Baldauf	L. B. Hamilton	W. F. Paris
J. H. Ballard	E. C. Hardin	Luther Pieratt
A. L. Baldwin	B. H. Harris	Ote Piper
Robert Bays	David J. Howard	H. C. Rice
W. T. Beckham	Joe Huddleston	Lewis Ryans
B. C. Beckmann	A. R. Hudson	Avery Sartin
H. V. Bell	Chas. L. Hunter	Joe Schneider
W. P. Bowman	J. W. Johnson	Claude B. Smith
J. L. Bradford	Leslie P. Jones	R. T. Smith
O. V. Brown	Griffin Kelly	T. J. Smith
R. J. Cain	W. F. Klair	Thomas Spurrier
T. L. Caudel	H. A. Knollmann	Ben Street
H. C. Chappell	S. D. Laughlin	John W. Swope
John Cook	M. E. Lee	Claude M. Thomas
A. S. Cooper	J. E. Lilly	Elmore Thomas
Fred Cornelius	Harry J. Meyers	J. T. Thornton
W. P. Cropper	Clarence Miller	S. G. Thornberry
James S. Cruse	Claude D. Minor	W. F. Trusty
J. C. Davis	John T. Murphy	J. Wood Vance
A. A. Demunbrun	A. J. McCandless	F. C. VanHoose
H. L. Dixon	W. P. McDonogh	Geo. C. Waggoner
W. G. Dycus	H. C. McGehee	G. Frank Walthal
J. M. Elliston	S. Lee McGohan	W. N. Winn
Lark Garnett	H. C. McLellen	E. G. Young
W. H. Hager	W. B. O'Bannon	

Upon motion of Mr. Klair the reading of the Journal of yesterday was dispensed with and the Journal approved.

Mr. J. S. Cruse was granted an indefinite leave of absence.

Mr. Charles Ashby was granted an indefinite leave of absence.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Huddleston:

H. B. 212. An act to repeal and re-enact section 965, Carroll's edition, Kentucky Statutes, in so far as it relates to the Twenty-ninth Judicial District of Kentucky.

To the Committee on Circuit Courts.

By Mr. Chappell:

H. B. 213. An act to allow and permit coal mines and manufacturing plants to operate on Sunday during the war period.

To the Committee on Kentucky Statutes.

By Mr. Minor:

H. B. 214. An act amending subsections 1 and 2 of section 68a of Carroll's Kentucky Statutes, relating to the listing of dogs for taxation; prescribing the duties of assessors in listing dogs for taxation and prescribing the amount of tax thereon and the manner in which the same shall be collected, and prescribing the duties of the sheriff in the collection of said tax and the duties of peace officers in the enforcement of this act.

To the Committee on Agriculture.

By Mr. McGehee:

H. B. 215. An act to prevent any corporation, firm or joint stock company, using the word "German" or "Austrian" or any derivative of either, in its corporate, firm or trade name.

To the Committee on Corporate Institutions.

By Mr. Swope:

H. B. 216. An act to amend section 3490, Kentucky Statutes, Carroll's 1915 edition, being an act entitled an act to amend an act entitled an act for the government of cities of the fourth class, approved March 19, 1912, and being a part of charters of cities of the fourth class be, and the same is, amended by adding subsection 36.

To Committees on Cities of the Fourth Class.

By Mr. A. L. Hamilton:

H. B. 217. An act to appropriate money for the purchase of additional lands for gardening and farming purposes at the State Houses of Reform, Greendale, Kentucky.

To the Committee on Appropriations.

By Mr. Klair:

H. B. 218. An act to amend subsection one of section six of chapter four of the Acts of the General Assembly of Kentucky of 1908, which chapter four is an act entitled an act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof.

To the Committee on Pure Food.

By same:

H. B. 219. An act to amend and re-enact sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 edition, being a part of the charter of cities of the second class.

To the Committee on Municipalities.

By Mr. Jones:

H. B. 220. An act to amend section 1632 of the Kentucky Statutes, 1915, edition, compiled by the Hon. John D. Carroll, relating to rebinding and transcribing of books of records in counties having no official indexer.

To the Committee on Public Libraries.

By Mr. Cook:

H. B. 221. An act to repeal an act entitled an act to incorporate and establish a public school for colored people in the town of Hawesville, and within a radius of two miles of the court house in said town, approved March 19, 1888, and all amendments thereto.

To the Committee on Education No. 2.

By Mr. Radcliffe:

H. B. 222. An act to amend article 2, subdivision 1, section 583 of the Kentucky Statutes, being chapter 32, Carroll's 1915 edition, an act of April 5, 1893, relating to indebtedness of person to a bank and highest amount permitted to be loaned by banking institutions, and fixing the amount of funds or moneys a bank may invest in United States Government bonds, United States certificates of indebtedness and State warrants or bonds of the Commonwealth of Kentucky.

To the Committee on Banks and Banking.

By Mr. Beckmann:

H. B. 223. An act to amend an act entitled an act to amend the school laws and to create boards of education and to define their duties in cities of the first class, which was approved March 4th, 1910.

To the Committee on Municipalities.

By Mr. Cornelius:

H. B. 224. An act empowering the Commonwealth of Kentucky to purchase school text books and furnish the same at cost to the school children of the common schools between the ages of six and twenty years and repealing all laws in conflict therewith.

To the Committee on Education No. 1.

By Mr. Bradford:

H. B. 225. An act to provide for county inspector of apiaries and defining their duties, and providing for their compensation for the purpose of curing and avoiding foul brood and other diseases among bees and their hives.

To the Committee on Agriculture.

By Mr. Young:

H. B. 226. An act providing for the settlement of County Superintendents with the County Board of Education and provisions concerning same.

To the Committee on Education No. 1.

By same:

H. B. 227. An act requiring the sheriff to account to the County Board of Education for all funds collected by him for school purposes.

To the Committee on Education No. 1.

By same:

H. B. 228. An act to amend section 4421, Kentucky Statutes.

To Committee on Education No. 1.

By Mr. Howard:

H. B. 229. An act making elementary domestic science a required subject in the common school course of this Commonwealth on and after July 1st, 1920.

To the Committee on Judiciary.

By Mr. A. J. Oliver:

H. B. 230. An act to amend section 104, chapter 24, session acts of the General Assembly, 1916, relating to schools and education, so as to provide adequate pay for teachers in the common schools.

To the Committee on Education No. 1.

By Mr. Waggoner:

H. B. 231. An act to amend and re-enact sections 4329 and 4325 and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's edition of 1915, relating to public roads.

To the Committee on Public Roads and Highways.

Mr. Hardin, of the Committee on Appropriations, to which committee the same had been referred, with leave to report at any time, reported a bill of the following title, with the expression of opinion that the same ought to pass with the amendment offered by the Committee on Revenue and Taxation, said report being a majority report, viz:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the Acts of the extraordinary session of 1917, relating to the expenses and employees of the State Tax Commission.

Mr. W. T. Beckham, of the Committee on Appropriations, to which committee the same had been referred, with leave to report at any time, reported said House Bill No. 1, with the expression of opinion that same should not pass, said report being a minority report.

The House then took up for consideration said bill so reported by a majority of the Committee on Appropriations, which bill is entitled, viz.:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the Acts of the extraordinary session of 1917, relating to the expenses and employees of the State Tax Commission.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 6 of chapter 1 of the Acts of the extraordinary session of 1917 be amended and re-enacted so that same will read as follows:

The State Tax Commission is authorized to employ a secretary and other assistants. The Commission, secretary and other assistants who may be employed shall be entitled to

receive from the State their actual and necessary expenses when traveling on business of the Commission. Such expenses shall be submitted in an itemized claim, as now provided by law, and the claim must be approved by the Commission. The aggregate expenses of the Commission and assistants, office expenses and traveling expenses shall not exceed \$50,000.00 per annum.

§ 2. The State Tax Commission now having on hand an enormous amount of work and not sufficient funds to employ the necessary assistants, an emergency is declared to exist and this act shall become effective upon its approval by the Governor.

The Committee on Revenue and Taxation offered the following amendment to said bill, viz.:

Amend section 1 of House Bill No. 1 by adding at the end of said section the following:

The appropriation herein made for the support of the Tax Commission shall continue until the expiration of the next regular session of the General Assembly and until any law passed by said General Assembly in lieu hereof becomes effective.

Mr. Minor offered the following amendment to said bill, viz.:

Amend House Bill No. 1 by inserting after the words "approved by," and before the words "the Commission," in line nine of the printed bill, the words "all the members of," so that said line nine shall read "by law, and the claim must be approved by all the members of the Commission."

Said amendment was disagreed to.

Mr. Cooper offered the following amendment to said bill, viz.:

Amend House Bill No. 1 by changing the figures in line eleven to twenty-five thousand instead of fifty thousand, so that when amended it shall read: The aggregate expenses of the Commission and assistants, office expenses and traveling expenses shall not exceed twenty-five thousand (\$25,000.00) dollars.

Said amendment was disagreed to.

Mr. Klair moved that the session of today be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Waggoner moved that the special order set for twelve o'clock, noon, be postponed until the matter under consideration is disposed of, and that then the session be extended until the special order, namely, S. B. 3, is disposed of.

Said motion was agreed to.

Mr. Lee moved the previous question.

Said motion was agreed to.

The Speaker then stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	I. H. Gabbard	H. C. McGehee
Chas. Ashby	Lark Garnett	S. Lee McGohan
W. J. Bailey	W. H. Hager	H. C. McLellen
L. D. Baldauf	J. S. Hall	W. B. O'Bannon
J. H. Ballard	A. L. Hamilton	A. J. Oliver
A. L. Baldwin	E. C. Hardin	T. P. Oliver
Robert Bays	David J. Howard	W. F. Paris
B. C. Beckmann	A. R. Hudson	H. C. Rice
H. V. Bell	Chas. L. Hunter	Lewis Ryans
W. P. Bowman	J. W. Johnson	Joe Schneider
J. L. Bradford	Leslie P. Jones	Claude B. Smith
O. V. Brown	Griffin Kelly	Thomas Spurrier
H. C. Chappell	W. F. Klair	Ben Street
W. P. Cropper	W. T. Lasley	Elmore Thomas
James S. Cruse	S. D. Laughlin	John B. Thomas
J. C. Davis	M. E. Lee	Geo. F. Thompson
A. A. Demunbrun	J. E. Lilly	W. F. Trusty
Harry Dill	Harry J. Meyers	G. Frank Walthal
H. L. Dixon	Clarence Miller	T. R. Welch
W. G. Dycus	Claude D. Minor	W. N. Winn
F. A. Easterling	Ryland C. Musick	E. G. Young
J. M. Elliston	W. P. McDonogh	—65

Those who voted in the negative were—

W. T. Beckham	Joe Huddleston	R. T. Smith
Leroy Bonta	H. A. Knollmann	T. J. Smith
R. J. Cain	S. H. Moore	John W. Swope
T. L. Caudel	John T. Murphy	Claude M. Thomas
John Cook	A. J. McCandless	S. G. Thornberry
A. S. Cooper	Lilburn Phelps	J. Wood Vance
Fred Cornelius	Luther Pieratt	F. C. VanHoose
L. L. Embry	Ote Piper	Geo. C. Waggoner
L. B. Hamilton	Richard Radcliffe	
B. H. Harris	Avery Sartin	—28

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. L. B. Hamilton moved that the House recess until two o'clock p. m.

Said motion was disagreed to.

The House then took up for consideration the special order of the day, namely, a bill entitled:

S. B. 3. An act proposing an amendment to the Constitution of Kentucky prohibiting after June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof, and a way by which it shall be submitted to the people for their approval or rejection.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence and agreement of three-fifths of all the members elected to each House, the yeas and nays being taken thereon, and entered in full in their respective journals, that the following amendment to the Constitution of the Commonwealth of Kentucky be, and hereby is, proposed to the voters of the State for their ratification or rejection:

“After June 30, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or other intoxicating liquors, except for sacramental, medicinal, scientific or me-

chanical purposes, in the Commonwealth of Kentucky, is hereby prohibited. All sections or parts thereof of the Constitution, insofar as they may be inconsistent with this section are hereby repealed and nullified. The General Assembly shall enforce this section by appropriate legislation."

§ 2. This proposed amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under the Constitution of Kentucky and under the laws of the Commonwealth of Kentucky in force at the time of the submission, except there shall be provided and furnished each voter a separate ballot on which there shall only be printed this amendment clearly indicated upon said ballot, and two spaces shall be left upon the right of same, one for votes favoring the amendment to be designated by the word "Yes," and the other for votes opposing the amendment to be designated by the word "No." The elector or voter shall designate his vote by a cross mark thus "X" placed opposite the word "Yes" or the word "No."

Mr. Waggoner moved the previous question.

Said motion was agreed to.

The Speaker then stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Lark Garnett	W. F. Paris
W. J. Bailey	W. H. Hager	Luther Pieratt
L. D. Baldauf	L. B. Hamilton	Ote Piper
J. H. Ballard	E. C. Hardin	Richard Radcliffe
Robert Bays	B. H. Harris	H. C. Rice
W. T. Beckham	David J. Howard	Avery Sartin
H. V. Bell	Joe Huddleston	Joe Schneider
Leroy Bonta	A. R. Hudson	Claude B. Smith
W. P. Bowman	Chas. L. Hunter	R. T. Smith
J. L. Bradford	Leslie P. Jones	T. J. Smith
O. V. Brown	Griffin Kelly	Thomas Spurrier
R. J. Cain	W. T. Lasley	Ben Street
T. L. Candel	S. D. Laughlin	John W. Swope
H. C. Chappell	M. E. Lee	Claude M. Thomas
John Cook	J. E. Lilly	John B. Thomas
A. S. Cooper	Clarence Miller	Geo. F. Thompson
Fred Cornelius	Claude D. Minor	S. G. Thornberry
W. P. Cropper	S. H. Moore	W. F. Trusty
J. C. Davis	Ryland C. Musick	J. Wood Vance
A. A. Demunbrun	A. J. McCandless	F. C. VanHoose
H. L. Dixon	H. C. McGehee	Geo. C. Waggoner
W. G. Dycus	S. Lee McGohan	G. Frank Walthal
F. A. Easterling	H. C. McLellen	T. R. Welch
J. M. Elliston	W. B. O'Bannon	W. N. Winn
L. L. Embry	A. J. Oliver	E. G. Young
I. H. Gabbard	T. P. Oliver	

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Those who voted in the negative were—

A. L. Baldwin	J. W. Johnson	John T. Murphy
B. C. Beckmann	W. F. Klair	W. P. McDonogh
Harry Dill	H. A. Knollmann	J. T. Thornton
A. L. Hamilton	Harry J. Meyers	

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Resolved that the title thereof be as aforesaid.

Mr. Radcliffe moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 43. An act to regulate the admission of attorneys to practice law.

To the Committee on Judiciary.

S. B. 53. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same, with certain modifications thereof.

To the Committee on Appropriations.

And then the House adjourned.

THURSDAY, JANUARY 31, 1918.

The House was opened with prayer by the Rev. J. J. Gravatt, pastor of the Episcopal Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
Robert Bays
B. C. Beckmann

H. V. Bell
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel

H. C. Chappell
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
J. C. Davis

A. A. Demunbrum	W. F. Klair	Lewis Ryans
Harry Dill	H. A. Knollmann	Avery Sartin
H. L. Dixon	S. D. Laughlin	Joe Schneider
F. A. Easterling	M. E. Lee	Claude B. Smith
J. M. Elliston	J. E. Lilly	R. T. Smith
I. H. Gabbard	Clarence Miller	T. J. Smith
Lark Garnett	Claude D. Minor	Ben Street
M. E. Gilbert	S. H. Moore	John W. Swope
W. H. Hager	John T. Murphy	Claude M. Thomas
J. S. Hall	Ryland C. Musick	Elmore Thomas
A. L. Hamilton	A. J. McCandless	John B. Thomas
L. B. Hamilton	W. P. McDonogh	Geo. F. Thompson
E. C. Hardin	H. C. McGehee	J. T. Thornton
B. H. Harris	S. Lee McGohan	S. G. Thornberry
David J. Howard	H. C. McLellen	W. F. Trusty
Joe Huddleston	W. B. O'Bannon	F. C. VanHoose
A. R. Hudson	T. P. Oliver	Geo. C. Waggoner
Chas. L. Hunter	W. F. Paris	G. Frank Walthal
J. W. Johnson	Luther Pieratt	T. R. Welch
Leslie P. Jones	Ote Piper	W. N. Winn
Griffin Kelly	H. C. Rice	E. G. Young

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Upon motion of Mr. L. B. Hamilton the reading of the Journal of yesterday was dispensed with and the Journal approved.

Mr. W. J. Bailey was granted an indefinite leave of absence.

Mr. Everett Cobb was granted an indefinite leave of absence.

Mr. Bonta was granted an indefinite leave of absence.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 6. An act making it unlawful for any citizen or subject of any nation with which the United States is at war to have fire arms or other explosives in his possession.

To the Committee on Federal Relations.

S. B. 20. An act abolishing the fellow servant rule of law and modifying the doctrine of contributory negligence and assumed risk between master and servant, in actions arising between common carriers and their employes in this State.

To the Committee on Railroads.

Mr. R. T. Smith moved that House Bill No. 46, which had been reported by the Committee on Agriculture, with the expression of opinion that same ought not to pass, be given a first reading and placed in the calendar, the expression of said committee to the contrary notwithstanding.

Said motion was disagreed to.

Upon a call of the committees to which the same had been referred the following bills were reported, viz.:

By Mr. McGohan, of the Committee on Alcoholic Liquor Traffic:

H. B. 150. An act to amend section 3034 of the Kentucky Statutes, Carroll's edition of 1915, concerning the revocation of liquor licenses by the license board in cities of the first class, and regulating appeals in such cases to the circuit court, being part of an act entitled an act for the government of cities of the first class, approved July 1st, 1893.

By same:

H. B. 165. An act to repeal section 1342 of the Kentucky Statutes, Carroll's 1915 edition, and to re-enact the same.

By same:

S. B. 14. An act making unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

By Mr. Beckman, of the Committee on Municipalities, viz.:

H. B. 112. An act to repeal section 3095 of the Kentucky Statutes and to enact, in lieu thereof, sections 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f, 3095g and 3095h, relating to the condemnation of property for public purposes of cities of the second class.

By Mr. Thornberry, of the Committee on Retrenchment and Reform, viz.:

H. B. 55. An act to promote temperance in the State.

By same:

H. B. 135. An act to amend section 1277, subdivision IV of article IV, chapter 36 of the Kentucky Statutes, Carroll's edition of 1909, entitled crimes and punishments.

By Mr. Waggoner, of the Committee on Public Roads and Highways, viz.:

H. B. 162. An act regulating the width of tires and the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

By same:

H. B. 163. An act relating to the maintenance of Inter-County Seat State Aid Roads.

By same:

H. B. 73. An act for the improvement of the public highways of this Commonwealth.

With an amendment thereto by way of substitute therefor.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The committee to which the same had been referred reported bills with the expression of opinion that same ought not to pass, of the following titles, viz.:

By Mr. Thornberry, of the Committee of Retrenchment and Reform:

H. B. 152. An act to prevent the transportation of women from one county to another county for immoral purposes.

By Mr. Brown, of the Committee on Pure Food:

H. B. 109. An act providing for the publication of the date on all canned goods on which the same was canned, filled or packed and making it unlawful the sale of such commodities not so marked on and after January 1, 1919, and providing penalties therefor.

Mr. Hardin called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 12. Resolution deploring the action of certain Representatives in the United States Congress.

(For said resolution see H. J. of January 25th.)

Mr. Radcliffe moved that the consideration of said resolution be deferred until same is printed and laid upon the desk of each member.

Said motion was agreed to.

Hon. G. H. Carey, ex-member of this House, was granted the privilege of the floor.

In compliance with and pursuant to a resolution adopted by the House on January 17th, 1918, the State Inspector and Examiner, Nat B. Sewell, made the following report, which was read to the House, viz.:

Frankfort Ky., January 29, 1918.

To the General Assembly of Kentucky, in Session at Frankfort, Kentucky:

GENTLEMEN—I beg leave to acknowledge the receipt of the following resolution, adopted in the Kentucky House of Representatives on January 17, 1918, and delivered to me by Honorable Eli Berry, Chief Clerk of the House of Representatives, on January 18, 1918:

Be it resolved by the House of Representatives:

1. That the State Inspector and Examiner shall immediately report to the General Assembly whether the Secretary of State, the Auditor, Superintendent of Public Instruction, or the head of any other department of this Commonwealth having lump sum appropriations to be used in the discretion of such head of such department, has provided for the expenditure of such sums and, if not, what part of such sum is unexpended and that expended, to whom such sums have been paid, stating in full and in detail whether said sums have been paid for work not provided for by statute or used for supplementing or increasing the salaries thus provided for.

2. Such report shall also state the number of persons in each of said departments receiving money from the State, and whether they are paid out of lump appropriations or otherwise, the manner of employment of each of such persons, the beginning and the expiration of the terms of each, the amount received for services rendered and the actual time given by such employes to his or her duties, the number of hours per day or week, and the nature of the duties assigned by the heads of the department to such persons.

3. That said report shall also state the actual number of employes who, in the judgment of the Examiner and Inspector, are essential to such department and the appropriate salaries thereof commensurate with the necessity therefor, the ability required and the time engaged on such duties, together with a statement of such sum of money as will, in his judgment, be reasonably sufficient to meet the extra and incidental expenses other than salaries of such department and the total appropriation that would reasonably and efficiently care for such department without waste or extravagance, or useless positions.

4. That such report shall also state the recommendations of the Examiner and Inspector of such laws and other procedure as, in the judgment of the Examiner and Inspector,

make the heads of the respective departments responsible under their official bonds for any useless expenditures or salaries expended to persons performing no labors or duties, and such other recommendations as will enable the General Assembly to intelligently review the expenditures of the State departments and to determine the necessary appropriations therefor.

A Copy Attest: ELI BERRY,
Chief Clerk House of Representatives.

In compliance with the request made in sections one and two of the above resolution, I am submitting herewith a report, approved and signed by the head of each of the departments specified in your resolution. I think you will find that each of these reports gives as complete and definite information as is possible. Since appointments made by the heads of departments are not for any specified term, I can only give the date of appointment and not the expiration of term of employes, as requested.

The only department in which the salaries of employes are provided by statute is the Department of Education. While these salaries really constitute a lump sum appropriation, the expenditure of this appropriation is discretionally with the head of the department only to the extent that he makes appointments of all employes in his department, but the stipulated salaries of such employes are paid as provided by law upon warrant of the Auditor.

The head of each department has given in his report the number of hours per day and the number of days per week actually used by each of his employes in the performance of the duties assigned.

The annual appropriations allowed to these various departments for clerical assistance are as follows:

Secretary of State	\$10,000.00
Auditor of Public Accounts	21,000.00
Custodian	21,200.00
Treasurer	6,000.00

In these reports the complete payroll of each department is given but the salaries of those provided for by Statute are deducted from the total payroll, leaving, in each report, the net amount expended annually from the lump sum appropriation.

The only other department, as far as I am able to find, in which a lump sum appropriation is allowed for clerk hire at the discretion of the head of the department, is that of the Attorney General, who is allowed the sum of \$1,200.00 annually to pay for additional stenographic help in his office. I find that no part of this sum has been expended as a regular salary by the present Attorney General, and only a small part for incidental stenographic work.

In the State Treasurer's office, for both of the last two fiscal years, a part of the annual appropriation has not been expended for clerk hire and has remained in the Treasury.

As to section three of your resolution which requests the Inspector and Examiner to express his judgment to the General Assembly as to: first, the number of employes essential to each of the above departments, and appropriate salaries to such employes; second, the time to be employed in the performance of duties; third, the sum of money necessary to meet extra expenses; and, fourth, the total appropriation that would reasonably and efficiently care for each department without waste, extravagance, or the continuance of useless positions; I must say that I can not give you such definite answers as are given to the requests made in sections one and two.

Since my work covers all of the State departments, State institutions and county offices—nearly one thousand in all—and it is not possible for me to be thoroughly familiar with all of these, either as to the duties of individual employes or the character of work required, very necessarily my judgment must be based upon approximations or general observations, rather than upon positive detailed knowledge. Therefore, the very best I can do is to express the judgment which

I have formed from general observation in the course of my official relations with these departments.

It is my belief that there is ample work to keep the clerical forces of each department fully occupied all the time, with such exceptions as are mentioned hereinafter, if the work is kept up to the standard of completeness and efficiency that should be expected in each of these departments.

The salaries paid to employes are none too high, provided the employes are qualified for the positions held by them and provided their time is used as it should be in the performance of their duties. In fact, at this time, the salaries of State employes in Kentucky are proportionately lower than those of most other classes of salaried people. That there are some employes who are not properly qualified, and who are not giving the time and attention to their work that it should have, is undoubtedly true. No one can be expected to know who these employes are or wherein they are failing to come up to a reasonable standard in their work so well as the heads of these respective departments. I have observed that some employes have exceedingly hard work and long hours, while others have short and leisurely hours. A proper division of labor in each department should be made. I know of no way to secure this by legislative action. It must depend upon the head of the department to so arrange his work that each employe shall have a fair portion of the work and shall be required to do it efficiently.

As to the hours engaged, naturally, this varies. I notice that some employes begin work as early as seven a. m. and stop at two or three p. m. Others begin later and work later. In work that is simply clerical and not confined to certain duties, whether large or small, that constitute a day's work, I think an eight-hour office day is fair both to the employer and to the employe. An exact observance of this is a practical impossibility in the case of many employes because of the nature of their duties.

In the report of the Secretary of State, included herein, the length of the day is given as five and one-half (5½) hours. If no longer time than this is required to properly conduct the affairs of the office, it seems to me that the length of the working day might be extended and the clerical force proportionately reduced.

In the Treasurer's office, I do not see that the clerical force could be reduced without impairing the efficiency of the office.

In the Department of Education, the work is continuous and may be made sufficient to occupy the time of all employes. However, it will be noticed that salaries in this department are considerably higher than salaries for similar clerical work in other departments. These salaries were fixed by an act of the Legislature in 1916. It seems to me that there should be more uniformity in salaries for clerical assistance than appears between those in the Department of Education and other departments. I shall soon make a separate report upon the Bureau of School Inspection in the Department of Education, and shall make some recommendations therein.

In the Auditor's office proper, an immense amount of work, and of an exacting nature, must be performed. Clerks are assigned to certain specific duties and are depended upon to do that particular work. Some of them appear to have more work to do than can be accomplished in reasonable hours. Others have very much shorter hours and apparently a great deal less work to do. This condition is difficult to adjust and can only be adjusted by the Auditor himself in the assignment of the various phases of work to his clerical help.

In certain bureaus, under the supervision of the Auditor, it seems to me that a better arrangement could be effected through legislation. I am recommending in a separate report upon the Insurance Board that the entire Insurance Department, which is now made up of two separate bureaus, be consolidated under one board and the clerical force reduced. I

think, too, that the Department of Revenue Agents should be consolidated with the Tax Commission.

In the Custodian's Department, which has charge of the Capitol Buildings and Grounds, the power plant, and the Old Capitol Buildings, I believe that some reduction in the number of employes could be made without loss of efficiency, provided, the employes are assigned sufficient work to constitute a reasonable day, and required to perform efficiently the duties assigned them. From general observation, it is my belief that, while some of the employes in the Custodian's Department are performing faithfully their duties, others are shirking duties and doing as little as possible. Naturally this is a difficult matter to handle and not one that can well be done through legislation.

As to the amount of money that should be allowed to each of these departments for extra and incidental expenses, as well as the proper salaries to be paid for clerical work, I feel that fuller information should be obtained than has been at all possible under our present system before appropriations are determined. In order to do this fully and intelligently, the only satisfactory method is through a budget commission which shall have authority and shall be required to investigate and tabulate all facts bearing upon each department, and shall recommend to each Assembly what it considers a reasonable amount for the maintenance of each department.

The opinion of the State Inspector and Examiner or that of any other State official may be of value by way of suggestion but certainly is not a sufficient basis for final conclusions as to the cost, the management, or the efficiency of any State department. Therefore, I feel that this General Assembly should, without delay, take the steps necessary for the establishment of the budget system of appropriations for all State departments and State institutions.

Section four of your resolution requests that the State Inspector and Examiner shall recommend such laws and other procedure as in his judgment will make the heads of the re-

spective State departments responsible under their official bonds for useless expenditures or unearned salaries, and that the Inspector and Examiner shall make such other recommendations as will enable the General Assembly intelligently to review the expenditures of the State departments and to determine the necessary appropriations therefor. While I appreciate the value that a full and intelligent response to this request would be to the General Assembly and to the State, I must say frankly that such a response would necessitate a much broader and more intimate knowledge of the various departments of the State and of the affairs in general of the State than the Inspector and Examiner, or, in my opinion, any other person either private citizen or public official, possesses. I am in full sympathy with the proposition of using good business methods and reasonable economy in all State departments and State institutions, and have, I believe, shown by my reports during the past two years that it has been the policy of the office of State Inspector and Examiner to work diligently and without fear or favor along those lines. There is no good reason why the State's affairs should not be conducted along as sound business lines as those of private concerns. While legislative action is essential to make this possible, yet, a multiplicity of laws often conflicting and inadequate make it exceedingly difficult for State officials and heads of departments to apply the same business principles to the conduct of their offices that is possible in the conduct of private concerns which are not so hampered by regulations which themselves are either unsound or inapplicable. One of the greatest difficulties in the operation of State departments at this time is the fact that the provisions of the law applying to State departments form an illogical and impractical patchwork of regulations instead of a clear and simple business code which easily might be applied in the management of public offices.

In my annual report for 1917, which is today being placed upon the desks of each member of the General Assembly, I

have made various legislative recommendations applying to both county and State offices. In my judgment, these recommendations, if enacted into law, will tend to secure both efficiency and economy in the conduct of public offices, and this opinion is approved by various public officials and well informed citizens with whom I have discussed these questions. I respectfully ask your consideration of these recommendations.

A multitude of other suggestions might be made at this time, but, at most, would represent only a personal opinion which may or may not be well-founded, and which very much more wisely can be offered after an investigation of all the facts with conclusions based upon counsel and evidence rather than upon personal notions. I am not ready to subscribe to the theory that all evils or errors in public affairs can be cured through legislation. Proper enforcement of existing laws usually is more difficult and frequently is a better public policy than the enactment of new laws.

The election of men to public office is *prima facie* evidence that a majority of the people in the political division represented are willing to entrust their affairs to such officers. To further safeguard the interests of the people, nearly all officials are required to execute sufficient bond for the faithful performance of the duties imposed upon them by law. Any loss to the public may be reimbursed by recovery from the official bond, and failure to perform duties may be punished by removal from office. With those safeguards given the public, certainly the public official bearing these responsibilities should be given a reasonable latitude in the conduct of his affairs, should not be handicapped by technical or trivial requirements, and should be given as good opportunity to accomplish the duties assigned to him as is accorded in business to the head of a corporation or other concern.

More briefly expressed, I am firmly of the opinion that, if all existing laws are strictly enforced as to the performance of duties by public officials, there will not be any great need of

radical legislation to secure reasonable service from public officials. Such changes as are made certainly should be toward a simpler rather than toward a more complex system.

Many of the customs now followed in public life are only customs, not laws, and are not justified by law as may often be supposed. These customs are the growth of generations of loose practices, based upon political performance rather than upon business, and upon the assumption that it is legitimate to secure as much from the public coffers as possible and give as little in return as will be tolerated.

In the past two years I have criticised in public reports many of these customs, and have called attention of the proper authorities to such irregularities in the payment of public salaries and expenses, and am glad to say that, through the co-operation of both county and State officials in general, many of those customs have been stopped through the strict application of the law.

As a striking example of a very expensive custom of long standing that I do not believe to be at all justified by law, I desire to mention the salaries paid to the members of the Kentucky General Assembly. As a matter of law, as found by reference to sections 2005, 2007 and 3765, Kentucky Statutes, Carroll's edition, 1915, the salary of each member of the General Assembly, excepting the presiding officers, who receive \$15.00 per day, is \$10.00 per day for each day in session and for actual attendance, when so certified by the Clerk of each House to the Auditor. It seems to me that the Statutes are clear and positive as to the days in each session for which members are entitled to pay, and I have been able to find no decision or ruling to the contrary. However, as a matter of custom members have been paid their per diem not only for the sixty legislative days, whether in session or not, or whether in attendance or not, but for all Sundays and legal holidays included between the opening day and the closing day of each session. Counting the Sundays, holidays and other days not in session, there are from twenty to twenty-five days in each

session on which the members are not actually in attendance and in which no business is transacted for the State, and for which, under a strict interpretation of the law, the members are not entitled to their per diem. The salaries of members and employes of the two Houses amount to approximately \$1,525.00 per day. For a minimum of twenty days not actually in session at each term of the General Assembly, the amount overpaid by the State is more than \$30,000.00, or considerably more than the State pays for salaries for running the Auditor's department an entire year. Upon this basis, each member receives from \$200.00 to \$250.00 more salary than the law contemplates.

The present session of the General Assembly began on January 8th. Including, at this time, January 29th, twenty-two days have passed for which the members, according to former customs, either have been or will be allowed \$10.00 per day. Of these twenty-two days, the House actually has been in session on ten different days, and has actually been engaged about thirty hours, or an average of three hours per day. On this basis, the State, for this time, is paying each member \$220.00 for thirty hours' work, or \$7.33 per hour. Placed upon an eight hour basis, this would make a daily rate of \$58.64, or, counting Sundays and holidays, as is customary, for the entire year an annual salary of \$21,403.60 for each member. The highest salary paid in Kentucky to any State official whose full time is occupied with official duties, is \$6,500.00 to the Governor. The next highest is \$5,000.00 per year to the Judges of the Court of Appeals, who are in vacation about two months in each year. On the basis of 365 days per year, extra allowances for stationery, etc., and a mileage of 15c per mile in coming to and going from the sessions of the General Assembly, each member is receiving a salary at the rate of from \$3,700.00 to \$3,900.00 per year.

I have given the above figures merely as an illustration of how easy it is to find expenditures not warranted by law, or useless and extravagant expenditures in practically every

department of the State government. Moreover, these conditions are not new.

Since a strict application of the law to payment of the salaries of members of the General Assembly would mean a saving to the State of \$1,500.00 per day, or over \$30,000.00 for each session, it seems to me that the present session of the Kentucky General Assembly could set a splendid example of unselfish patriotism to other departments and to future generations by taking proper steps to abolish at this time the custom of paying members for Sundays, for holidays, and for days when they are not actually in attendance. This action emanating from the State's law-making body undoubtedly would have a wholesome and deterrent effect upon any other department that may be derelict in its duties or extravagant in its expenditures.

In all its sincere efforts to secure more efficient service upon a more economic basis and under the fairest and most practical system, I beg to offer to the General Assembly at all times any assistance possible and my heartiest co-operation.

Respectfully submitted,

(Signed) NAT B. SEWELL,
State Inspector and Examiner.

Mr. Musick sent to the Clerk's desk the following motion in writing, viz.:

"Move that the report of Mr. Sewell be printed and one copy furnished to each member of the General Assembly, and that we extend our thanks to the State Inspector and Examiner for his information on the General Assembly and lack of information on all other departments."

Mr. Phelps offered the following amendment by way of substitute therefor, to the motion made by Mr. Musick, in writing, viz.:

“I move to substitute the following for the motion of the gentleman from Breathitt:

“Refer the State Inspector and Examiner’s report to the Committee on Retrenchment and Reform.”

Mr. Vance then indicated the hour, namely, twelve o’clock noon, the time, under the rules, for the orders of the day.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 65. An act to amend and re-enact subsection 1 of section 2596b, Carroll’s 1915 edition, Kentucky Statutes, relating to anti-shipping liquor bill.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

I. That subsection 1 of section 2596b, Carroll’s 1915 edition of the Kentucky Statutes, be amended and re-enacted by adding thereto the following: “and it shall be unlawful for any person or persons, individual or corporation, public or private carrier to bring into, transfer to any other person or persons, corporation, carrier or agent, deliver or distribute, in any county, district, precinct, town or city, where the sale of intoxicating liquors has been prohibited or may be prohibited, whether by special act of the General Assembly, or by a vote of the people under the local option law, any spirituous, vinous, malt or other intoxicating liquors or decoctions, regardless of the name by which it may be called; and this act shall apply to all packages of intoxicating liquors and decoctions whether broken or unbroken; provided, that the provisions of this act shall not apply to licensed physicians or druggists to whom any public carrier may deliver such goods,

in broken packages, for medical purposes only, in quantities not to exceed five gallons at any one time.

II. Every package of spirituous, vinous, malt or other intoxicating liquors, or decoctions, regardless of the name by which it may be called, whether broken or unbroken packages, brought into or transferred to other person or persons, corporations, carrier or agent, delivered or distributed, in such local option territory, shall constitute a separate offense.

III. Any person or persons, individual or corporation, public or private carrier, violating the provisions of this act shall be deemed guilty of violating the local option law. And the place of delivery of such liquors shall be held to be the place of sale; and the courts of the county in which any of such liquors are delivered or transported to, shall have jurisdiction of all violations of this act."

Said subsection of section 2569b when so amended and re-enacted shall read as follows:

"Any person in any county, district, precinct, town or city in this State where the sale as a beverage of vinous, malt, brewed, fermented, spirituous or intoxicating liquor is prohibited by law who has paid the United States internal revenue tax permitting the sale of any such liquors, shall be deemed to have paid such tax with an intent to violate the prohibitory laws of this State, or of such county, district, precinct, town or city, and it shall be unlawful for any such person to buy, bargain for, accept, receive, hold or possess any such liquors. Provided, however, that none of the foregoing provisions of this section shall apply to any druggist authorized by the laws of this State to sell such liquors for medical, chemical, scientific and sacramental purposes, nor wholesale dealers in, or brewers or distillers engaged in the manufacturing of, such liquors in said prohibition territory. And it shall be unlawful for any person to buy for, sell, furnish, or knowingly deliver, ship or in any manner transport to any such

person as first above mentioned in this section or his agent or any minor any of the liquors heretofore mentioned. And it shall be unlawful for any person or persons, individual or corporation, public or private carrier to bring into, transfer to any other person or persons, corporation, carrier or agent, deliver or distribute, in any county, district, precinct, town or city, where the sale of intoxicating liquors has been prohibited or may be prohibited, whether by special act of the General Assembly, or by a vote of the people under the local option law, any spirituous, vinous, malt or other intoxicating liquors or decoctions, regardless of the name by which it may be called; and this act shall apply to all packages of intoxicating liquors and decoctions whether broken or unbroken; provided, that the provisions of this act shall not apply to licensed physicians or druggists to whom any public carrier may deliver such goods, in unbroken packages, for medical purposes only, in quantities not to exceed five gallons at any one time.

Every package of spirituous, vinous, malt or other intoxicating liquors, or decoctions, regardless of the name by which it may be called, whether broken or unbroken packages brought into or transferred to other person or persons, corporation, carrier or agent, delivered or distributed in such local option territory, shall constitute a separate offense.

Any person or persons, individual or corporation, public or private carrier, violating the provisions of this act shall be deemed guilty of violating the local option law. And the place of delivery of such liquors shall be held to be the place of sale; and the courts of the county in which any of such liquors are delivered or transported to, shall have jurisdiction of all violations of this act."

The Committee on Alcoholic Liquor Traffic offered the following amendment to said bill by way of substitute therefor, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person or persons, individual or corporation, public or private carrier to bring into, transfer to other person or persons, corporation, carrier or agent, deliver or distribute, in any county, district, precinct, town or city, where the sale of intoxicating liquors has been prohibited, or may be prohibited, whether by special act of the General Assembly, or by vote of the people under the local option law, any spirituous, vinous, malt or other intoxicating liquor, regardless of the name by which it may be called; and this act shall apply to all packages of such intoxicating liquors, whether broken or unbroken. Each package of such intoxicating liquor so brought, transferred or delivered in such territory shall constitute a separate offense.

§ 2. That it shall be unlawful for any person or persons, individual or corporation, in any county, district, precinct, town or city where the sale of intoxicating liquors has been prohibited or may be prohibited, whether by special act of the General Assembly, or by vote of the people under the local option law, to receive or accept any spirituous, vinous, malt or intoxicating liquor regardless of the name by which it may be called, from a common carrier, or from any other person or persons, individual or corporation, who has transported such liquor in, or into, such territory for compensation, hire or profit of any kind whatever, either directly or indirectly. Each and every package of said intoxicating liquor so received or accepted in any such territory shall constitute a separate offense.

§ 3. The provisions of the foregoing sections shall not apply to a common carrier transporting such liquor through such territory to a point of destination in some other state or to a point in this State where said liquor may be lawfully sold; nor to the receipt or acceptance by a common carrier of such liquor for transportation to a point in another state, or to a point in this State where the sale of said liquors is not prohibited by law; nor to the receipt or acceptance by a regular

licensed druggist who may be authorized to sell such liquors pursuant to the provisions of section 2558 of Kentucky Statutes, Carroll's edition, 1915.

§ 4. That it shall be unlawful for any person, firm or corporation, while representing either the buyer or the seller, to distribute, to solicit or receive contracts, proposals or orders for the purchase or sale of any spirituous, vinous, malt or other intoxicating liquors, regardless of the name by which it may be called, or to distribute any hand bills or posters advertising the same in any county, district, precinct, town or city within this State where the sale of intoxicating liquors is prohibited, either by special act of the General Assembly or by a vote of the people under the local option law. Each act of distributing, soliciting or receiving contracts, proposals or orders as denounced herein, and each day in which hand bills or posters are distributed, shall constitute a separate offense; provided, the provisions of this section shall not apply to the soliciting of contracts, proposals or orders from regular licensed druggists who are authorized to sell intoxicating liquors pursuant to section 2558 of Kentucky Statutes.

§ 5. That any person, firm or corporation violating any of the provisions of this act shall, upon conviction thereof, be fined in any sum of not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars or imprisonment in the county jail for not less than ten days nor more than fifty days, or both so fined and imprisoned within the discretion of the court or jury trying the case.

§ 6. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Dycus offered the following amendment to said substitute, viz.:

Amend section 3 of the substitute for House Bill No. 65 by striking out the letter "a" at the end of line two and the

words "common carrier transporting" in line three thereof, and by inserting in lieu thereof the following words, "the transportation of;" and also by adding to the end of said section, at the end of line nine, the following, "nor shall they apply to one, who is not a carrier for hire, taking into such territory and delivering the same to a church officer to be used for sacramental purposes."

So said section when then amended will read as follows:

"Section 3. The provisions of the foregoing section shall not apply to the transportation of such liquors through such territory to a point of destination in some other State or to a point in this State where said liquor may be lawfully sold, nor to the receipt or acceptance by a common carrier of such liquor for transportation to a point in another State, or to a point in this State where the sale of said liquors is not prohibited by law; nor to the receipt or acceptance by a regular licensed druggist who may be authorized to sell such liquors pursuant to the provisions of section 2558 of Kentucky Statutes, Carroll's edition, 1915; nor shall they apply to one, who is not a carrier for hire, taking wine into such territory and delivering the same to a church officer to be used for sacramental purposes."

Mr. Dycus offered the following amendment to the substitute for House Bill No. 65, viz.:

Amend section 6 of the substitute for House Bill No. 65 by adding to the end thereof the following words:

"However, this act is not intended to repeal or modify section 2558 of subsections 2 and 3 of section 2569b of Kentucky Statutes in so far as they relate to licensed druggists."

Mr. Waggoner moved that said House Bill No. 65, and amendments thereto be recommitted to the Committee on Alcoholic Liquor Traffic with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

II. B. 10. An act amending section 612a, Carroll's Kentucky Statutes, relating to combined bank and trust companies; providing the manner in which combined bank and trust companies may be organized; fixing the amount of capital of combined bank and trust companies and providing how the capital of combined bank and trust companies shall be used or employed.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 612a, of Carroll's Kentucky Statutes, edition of 1915, be, and the same is, hereby amended, so that said section as amended shall read as follows:

Any number of persons, not less than seven, may associate to establish a corporation for the purpose of conducting and it may conduct, both a banking business and a trust company business. The capital stock of such corporation shall not be less than thirty thousand dollars in counties having a population of twenty-five thousand or less; nor less than fifty thousand dollars in counties having a population more than twenty-five thousand and less than forty thousand; nor less than one hundred thousand dollars in counties having a population of forty thousand or more. The whole of said capital stock shall be subscribed and paid in money before said corporation shall commence business. One-half of such capital stock shall be securely invested for the trust business of the corporation and shall at all times be kept separate and distinct from its other assets, and shall be primarily liable for its fiduciary obligations. The remainder of the capital stock of

the corporation may be used in its business of banking, and its books shall be so kept as to show separately at all times the conditions of its banking business and of its trust business.

Mr. Murphy offered the following amendment to said bill, viz.:

Amend House Bill No. 10 by adding paragraph after line twenty of printed bill.

Any corporation now doing either a banking or trust business in any county or city in this Commonwealth may, with a consent of a majority, in number and interest of its stockholders, organize under this section, and the stock, if unimpaired, may be converted into stock in the new corporation.

Said amendment was agreed to.

Mr. Murphy offered the following amendment to said bill, viz.:

Amend House Bill No. 10 as follows:

Strike out the following words beginning after the words "twenty-five thousand," in line ten of printed bill, and ending at the period in line twelve, and which words so stricken out are as follows: "and less than forty thousand; nor less than one hundred thousand dollars in counties having a population of forty thousand or more."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. L. Hamilton	W. F. Paris
L. D. Baldauf	L. B. Hamilton	Luther Pieratt
J. H. Ballard	E. C. Hardin	Richard Radcliffe
Robert Bays	B. H. Harris	Lewis Ryans
W. T. Beckham	David J. Howard	Avery Sartin
B. C. Beckmann	Joe Huddleston	Joe Schneider
H. V. Bell	A. R. Hudson	Claude B. Smith
W. P. Bowman	Chas. L. Hunter	R. T. Smith
R. J. Cain	J. W. Johnson	T. J. Smith
T. L. Caudel	Leslie P. Jones	Ben Street
H. C. Chappell	Griffin Kelly	John W. Swope
Everett Cobb	W. F. Klair	Claude M. Thomas
John Cook	H. A. Knollmann	Elmore Thomas
A. S. Cooper	S. D. Laughlin	John B. Thomas
Fred Cornelius	M. E. Lee	Geo. F. Thompson
W. P. Cropper	J. E. Lilly	J. T. Thornton
J. C. Davis	Clarence Miller	S. G. Thornberry
A. A. Demunbrun	Claude D. Minor	W. F. Trusty
Harry Dill	S. H. Moore	J. Wood Vance
H. L. Dixon	W. P. McDonogh	F. C. VanHoose
W. G. Dycus	H. C. McGehee	G. Frank Walthal
F. A. Easterling	S. Lee McGohan	T. R. Welch
J. M. Elliston	H. C. McLellen	W. N. Winn
I. H. Gabbard	John T. Murphy	E. G. Young
M. E. Gilbert	W. B. O'Bannon	
W. H. Hager	T. P. Oliver	

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There voted in the negative—

A. J. McCandless

—1

Resolved, that the title thereof be as aforesaid.

Mr. Minor moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 77. An act to amend an act approved December 3, 1893, entitled "An act relating to interest and usury."

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2 of "An act relating to interest and usury," approved December 3, 1892, which is section 2219 of the Kentucky Statutes, be, and the same is hereby, amended by adding thereto the following words:

"Provided, however, that where any insurance company, bank, trust company or individual, as a condition for a loan by such company, bank, trust company or individual of money upon mortgage or other security, shall require that the borrower insure either his life or that of another, or his property, with such company, bank, trust company or individual, and assign to such company, bank, trust company or individual, or cause to be assigned to it, any policy of insurance as security for such loan, and agree to pay premiums thereon during the continuance of such loan, whether such premiums be paid annually, semi-annually, quarterly or monthly, such premiums shall not be considered as interest on such loans, nor shall any loan be rendered usurious by reason of any such requirements, where the rate of interest charged for the loan does not exceed the legal rate and where the premiums charged for the insurance do not exceed the premiums charged for similar policies to other persons who do not obtain loans."

So that said section, when amended, shall read as follows :

“Section 2219. Contracts for Greater Than Legal Rate Void for Excess—Remedies. All contracts and assurances made, directly or indirectly, for the loan or forbearance of money, or other thing of value, at a greater rate than legal interest, shall be void for the excess over the legal interest. The amount loaned, with legal interest, may be recovered on any such contract or assurance; but if the lender refuse, before suit brought, a tender of the principal, with legal interest, he shall pay the cost of any suit brought on such contract or assurance. Provided, however, that where any insurance company, bank, trust company or individual as a condition for a loan by such company, bank, trust company or individual of money upon mortgage or other security, shall require that the borrower insure either his life or that of another, or his property, with such company, bank, trust company or individual, and assign to such company, bank, trust company or individual, or cause to be assigned to it, any policy of insurance as security for such loan, and agree to pay premiums thereon during the continuance of such loan, whether such premiums be paid annually, semi-annually, quarterly or monthly, such premiums shall not be considered as interest on such loans, nor shall any loan be rendered usurious by reason of any such requirements, where the rate of interest charged for the loan does not exceed the legal rate and where the premiums charged for the insurance do not exceed the premiums charged for similar policies to other persons who do not obtain loans.”

Mr. Radcliffe moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled, viz. :

H. B. 21. An act to further amend and re-enact section 3194 of the Kentucky Statutes relating to sinking funds in cities of the second class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3194 of the Kentucky Statutes, Carroll's edition of 1915, relating to sinking funds in cities of the second class, as amended by act of 1916, published as chapter 69 of Acts of 1916, be, and the same is, further amended and re-enacted to read as follows:

"Section 3194. Said Commissioners are required, whenever there shall be an accumulation of money in the sinking fund over and above the amount required for promptly meeting the interest on the bonded indebtedness of the city, to redeem or purchase the outstanding bonds and interest coupons of the city chargeable to said fund, when they can do so on fair terms and at a price not exceeding the market value thereof, and such bonds and coupons shall be reported to the General Council or other governing body of said city and be cancelled and a correct record of same with date of cancellation preserved in the office of the Auditor. Whenever there shall be a surplus of said funds which can not be applied on such terms to the extinguishment of said liabilities, the Commissioners may invest the same in bonds of said city, for which it is liable in its corporate capacity, or in any improvement bonds issued by such city in pursuance of section 3102 of the Kentucky Statutes, or in any bonds of the State of Kentucky, or of the United States; or they may loan said surplus with such securities as collateral or upon first mortgage of real estate situated in Kentucky and worth at least double the amount loaned thereon. Any loan or investment, heretofore made, of the sinking funds of a city of the second class which would be authorized and valid if made after this act takes effect, is hereby ratified, validated and confirmed."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Joe Huddleston	H. C. Rice
L. D. Baldauf	A. R. Hudson	Lewis Ryans
Robert Bays	J. W. Johnson	Avery Sartin
B. C. Beckmann	Leslie P. Jones	Joe Schneider
H. V. Bell	Griffin Kelly	Claude B. Smith
W. P. Bowman	W. F. Klair	R. T. Smith
R. J. Cain	H. A. Knollmann	T. J. Smith
T. L. Caudel	S. D. Laughlin	Thomas Spurrier
John Cook	M. E. Lee	Ben Street
A. S. Cooper	J. E. Lilly	John W. Swope
W. P. Cropper	Harry J. Meyers	Claude M. Thomas
J. C. Davis	Claude D. Minor	Elmore Thomas
A. A. Demunbrun	S. H. Moore	John B. Thomas
Harry Dill	John T. Murphy	Geo. F. Thompson
H. L. Dixon	Ryland C. Musick	J. T. Thornton
W. G. Dycus	W. P. McDonogh	W. F. Trusty
J. M. Elliston	H. C. McGehee	J. Wood Vance
Lark Garnett	S. Lee McGohan	F. C. VanHoose
M. E. Gilbert	H. C. McLellen	Geo. C. Waggoner
W. H. Hager	W. B. O'Bannon	G. Frank Walthal
J. S. Hall	T. P. Oliver	T. R. Welch
L. B. Hamilton	Lilburn Phelps	W. N. Winn
E. C. Hardin	Luther Pieratt	E. G. Young
B. H. Harris	Ote Piper	
David J. Howard	Richard Radcliffe	

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There voted in the negative—

A. J. McCandless

—1

Resolved that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McDonogh moved that the session be extended indefinitely.

Said motion was disagreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 23. An act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class, in which there is located circuit courts of continuous session, prescribing the method of appointment and removal, the duties, powers and salary and the method of payment of such officer.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties of this Commonwealth having therein cities of the second class, in which there is located a circuit court of continuous session, there is hereby created the office of District Detective to the Commonwealth's Attorney. Said District Detective shall be appointed by the Commonwealth's Attorney for a term of four years, but may be removed at any time by said Commonwealth's Attorney.

§ 2. It shall be the duty of said District Detective to assist the Commonwealth's Attorney in the preparation of all criminal cases now pending, or which shall hereafter be brought in the Circuit Court of said county, by investigating

the evidence and facts connected with such cases, and he shall aid the Commonwealth's Attorney in all matters pertaining to his office, and in such manner as may from time to time be designated by said Commonwealth's Attorney in such county.

§ 3. Said District Detective shall have the same powers of arrest and the same right to execute process as is now given by law to the sheriffs in such counties.

§ 4. The salary of said District Detective shall be not less than \$1,500.00 per annum nor more than \$2,000.00 per annum, to be fixed by the Fiscal Court in such county, and shall be payable out of the county levy in such county in equal monthly installments.

§ 5. Whereas, it is necessary for the proper conduct of the prosecutions pending in said counties that said District Detective shall be appointed at once, an emergency is hereby declared to exist, and this act shall take effect after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. L. Bradford	W. P. Cropper
L. D. Baldauf	O. V. Brown	J. C. Davis
Robert Bays	R. J. Cain	A. A. Demunbrun
W. T. Beckham	T. L. Caudel	H. L. Dixon
B. C. Beckmann	H. C. Chappell	W. G. Dycus
H. V. Bell	John Cook	J. M. Elliston
W. P. Bowman	A. S. Cooper	I. H. Gabbard

Lark Garnett	Harry J. Meyers	Avery Sartin
M. E. Gilbert	Clarence Miller	Joe Schneider
W. H. Hager	Claude D. Minor	Claude B. Smith
J. S. Hall	S. H. Moore	R. T. Smith
L. B. Hamilton	John T. Murphy	Thomas Spurrier
E. C. Hardin	W. P. McDonogh	Ben Street
B. H. Harris	H. C. McGehee	John W. Swope
David J. Howard	S. Lee McGohan	Claude M. Thomas
Joe Huddleston	H. C. McLellen	John B. Thomas
A. R. Hudson	W. B. O'Bannon	Geo. F. Thompson
Chas. L. Hunter	T. P. Oliver	S. G. Thornberry
J. W. Johnson	W. F. Paris	W. F. Trusty
Leslie P. Jones	Lilburn Phelps	J. Wood Vance
Griffin Kelly	Luther Pieratt	F. C. VanHoose
W. F. Klair	Ote Piper	Geo. C. Waggoner
S. D. Laughlin	Richard Radcliffe	G. Frank Walthal
M. E. Lee	H. C. Rice	T. R. Welch
J. E. Lilly	Lewis Ryans	E. G. Young

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Those who voted in the negative were—

Harry Dill	T. J. Smith	J. T. Thornton
H. A. Knollmann		

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Resolved that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 96. An act to amend section 4642, Kentucky Statutes, Carroll's edition 1915, relating to fees of official stenographers.

graphic reporters in counties having a population of 150,000 or more.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4642 of the Kentucky Statutes, Carroll's edition, 1915, be amended by adding after the words in line 21 "the sum of twenty-five hundred dollars per annum," the following words: "And the reporters in the several divisions of the common pleas branch shall each receive a salary of fifteen hundred dollars per annum, to be paid by the county, and there shall be fixed by the presiding judge thereof, a fee not exceeding five dollars per day for taking stenographic reports, and taxed as a part of the costs of the suit or proceeding, and when collected by the clerk of the circuit court, shall be paid into the treasury of the said county."

Said section is hereby further amended by striking the following words therefrom, beginning in line 24: "The fees of said reporter, when serving in civil cases in any of said courts or divisions, shall be fixed by the presiding judge thereof, not, however, to exceed five dollars per day for taking stenographic reports, and fifteen cents per one hundred words for the transcript thereof," and inserting in lieu thereof the following words: "Said reporter, when serving in civil cases in any of said courts or divisions, for making a transcript of the evidence, shall receive therefor at the rate of not exceeding fifteen cents per one hundred words, to be fixed by the presiding judge thereof."

Said section, when amended, will read as follows:

"The fees of said reporters appointed under the provisions of this act, when serving in criminal cases in any of said courts, shall be fixed by the presiding judge thereof, not, however, to exceed five dollars per day for taking steno-

graphic notes, and fifteen cents per one hundred words for the transcript thereof, which fees shall be paid upon the order of the presiding judge of said court, by the county in which said circuit court is situated, if the same is ordered by the court for the use of the Commonwealth's Attorney. If the transcript of the notes of said reporter in any criminal case is ordered by the presiding judge upon the motion of the defendant, or his counsel, the defendant shall be required to pay for the same, if, in the opinion of the court, he is able to do so. If it shall appear that the defendant is not able to pay for such transcript, the court may direct the same to be paid for as heretofore provided, and the same may be recovered at any time from the defendant; provided, that the amount paid by the county in such cases shall not exceed twelve hundred dollars per annum; provided, however, that in counties having a population of one hundred and fifty thousand or more, the reporter of the criminal branch of the Circuit Court shall receive a salary to be fixed by the presiding judge of said branch of said court, not exceeding, however, the sum of twenty-five hundred dollars per annum, and the reporters in the several divisions of the common pleas branch shall each receive a salary of fifteen hundred dollars per annum, to be paid by the county, and there shall be fixed by the presiding judge thereof, a fee not exceeding five dollars per day for taking stenographic reports, and taxed as a part of the costs of the suit or proceeding, and when collected by the clerk of the Circuit Court, shall be paid into the treasury of the said county, and shall receive no other compensation from the county for such services; and, provided further, that no part of the fees or salary of said reporter shall be paid by the Commonwealth. Said reporter, when serving in civil cases in any of said courts or divisions, for making a transcript of the evidence, shall receive therefor at the rate of not exceeding fifteen cents per one hundred words, to be fixed by the presiding judge thereof, which shall be paid forthwith by the party or parties in whose behalf such report or transcript is

ordered, and shall be taxed as a part of the costs of the suit or proceeding; provided, however, that said reporter shall not be required to file any of said transcripts without payment therefor by the party or parties in whose behalf the same is ordered; provided, however, further, that the presiding judge of said court or division may direct said reporter to file a transcript upon the motion of any party suing in forma pauperis."

Mr. Beckman offered the following amendment to said bill, viz.:

Amend House Bill Number 96 by inserting in line six, after the word "branch," and before the word "shall," the words "and chancery branch," and also by inserting in line forty-six, after the word "branch," and before the word "shall," the word "and chancery branch."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. C. Beckmann	R. J. Cain
L. D. Baldauf	H. V. Bell	T. L. Caudel
J. H. Ballard	W. P. Bowman	Everett Cobb
Robert Bays	J. L. Bradford	John Cook
W. T. Beckham	O. V. Brown	A. S. Cooper

W. P. Cropper	W. F. Klair	Lewis Ryans
J. C. Davis	H. A. Knollmann	Avery Sartin
A. A. Demunbrun	S. D. Laughlin	Joe Schneider
Harry Dill	M. E. Lee	Claude B. Smith
H. L. Dixon	J. E. Lilly	R. T. Smith
W. G. Dycus	Harry J. Meyers	T. J. Smith
F. A. Easterling	Clarence Miller	Thomas Spurrier
J. M. Elliston	Claude D. Minor	Ben Street
I. H. Gabbard	S. H. Moore	John W. Swope
Lark Garnett	John T. Murphy	Claude M. Thomas
M. E. Gilbert	Ryland C. Musick	John B. Thomas
W. H. Hager	A. J. McCandless	Geo. F. Thompson
J. S. Hall	W. P. McDonogh	J. T. Thornton
A. L. Hamilton	H. C. McGehee	S. G. Thornberry
L. B. Hamilton	S. Lee McGohan	J. Wood Vance
E. C. Hardin	H. C. McLellen	F. C. VanHoose
B. H. Harris	W. B. O'Bannon	G. Frank Walthal
Joe Huddleston	W. F. Paris	T. R. Welch
A. R. Hudson	Lilburn Phelps	W. N. Winn
Chas. L. Hunter	Luther Pieratt	E. G. Young
J. W. Johnson	Ote Piper	
Leslie P. Jones	Richard Radcliffe	

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Resolved that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following communications were read to the House, viz.:

The White House, Washington, January 24, 1918.

MY DEAR MR. BERRY:—The President is very grateful to the members of the Kentucky House of Representatives for their generous action in adopting the resolution of which

you were kind enough to send me a copy. He deeply appreciates their confidence and their approbation and would be glad to have you convey to everyone concerned an expression of his cordial thanks for so heartening a message.

Sincerely yours,

(Signed) J. P. TUMULTY,
Secretary to the President.

1817 H. Street, Washington, D. C., January 27, 1918.
*Hon. Eli Berry, Clerk of the House of Representatives,
Frankfort, Kentucky:*

DEAR SIR:—Will you allow me to thank you, and through you the House of Representatives of the Commonwealth of Kentucky, for the resolutions passed by them on the death of Major Gardner.

I am deeply sensible of the honor and grateful for this expression of it.

Yours sincerely,

(Signed) CONSTANCE GARDNER.

And then the House adjourned.

FRIDAY, FEBRUARY 1, 1918.

The House was opened with prayer by the Rev. J. J. Gravatt, pastor of the Episcopal church of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

L. D. Baldauf	H. V. Bell	T. L. Caudel
J. H. Ballard	W. P. Bowman	H. C. Chappell
Robert Bays	J. L. Bradford	John Cook
W. T. Beckham	O. V. Brown	A. S. Cooper
B. C. Beckmann	R. J. Cain	Fred Cornelius

W. P. Cropper	Griffin Kelly	H. C. Rice
J. C. Davis	W. F. Klair	Lewis Ryans
A. A. Demunbrun	H. A. Knollmann	Avery Sartin
H. L. Dixon	S. D. Laughlin	Joe Schneider
W. G. Dycus	M. E. Lee	Claude B. Smith
F. A. Easterling	J. E. Lilly	R. T. Smith
I. H. Gabbard	Harry J. Meyers	T. J. Smith
Lark Garnett	Clarence Miller	Thomas Spurrier
M. E. Gilbert	Claude D. Minor	Ben Street
W. H. Hager	Ryland C. Musick	John W. Swope
J. S. Hall	A. J. McCandless	Claude M. Thomas
A. L. Hamilton	W. P. McDonogh	John B. Thomas
E. C. Hardin	H. C. McGehee	Geo. F. Thompson
B. H. Harris	S. Lee McGohan	J. T. Thornton
David J. Howard	H. C. McLellen	W. F. Trusty
Joe Huddleston	W. B. O'Bannon	J. Wood Vance
A. R. Hudson	T. P. Oliver	Geo. C. Waggoner
Chas. L. Hunter	W. F. Paris	G. Frank Walthal
J. W. Johnson	Lilburn Phelps	W. N. Winn
Leslie P. Jones	Ote Piper	E. G. Young

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Upon motion of Mr. Howard the reading of the Journal of yesterday was dispensed with and the journal approved.

The following communication was laid before the House by the Speaker, viz.:

Bowling Green, Ky., Jan. 30, 1918.

Mr. Robert T. Crowe, Speaker of the House of Representatives, Frankfort, Kentucky:

MY DEAR MR. SPEAKER:—The National Speaking Division of the National Council of Defense, Washington, D. C., has just informed me that it can furnish us Lieut. Paul Perigord, the noted soldier and orator of the French army, for five days' itinerary in Kentucky, beginning on Tuesday, Feb-

ruary 19th. He will speak in Nashville on the 18th and come from that place to Bowling Green, where he will speak on the 19th at our Rural Life and Rural School Conference, which begins here on that date. He will speak in Louisville on the 20th and in Lexington on the evening of the 21st.

Lieut. Perigord is making one of the greatest speeches ever heard in this country. The Indianapolis News recently said in an editorial that his address alone fully justified the entire effort of the three days' war conference, which was held in Indianapolis in December. It has occurred to me that the General Assembly would like to have him address a joint session on the 21st. He could do this in the morning or the afternoon, and then speak in Lexington in the evening. Kindly take such action concerning this matter as you think proper and let me know your conclusions.

Inclosed find publicity information concerning the life and career of Lieut. Perigord.

Very truly yours,

(Signed) H. H. CHERRY,

Chairman Publicity and Speakers' Bureau.

Mr. Bell moved that said invitation be accepted and that this House invite Lieut. Perigord to address the House, and that the Speaker be directed to designate the time this House shall hear said address.

Said motion was agreed to.

Thereupon the Speaker designated February 21st, at two o'clock p. m., for said address in the House Chamber.

Mr. Rice sent to the Clerk's desk a communication in writing from the Governor of Kentucky, which communication was read and is as follows, viz.:

Frankfort, February 1st, 1918.

Judge H. C. Rice, Frankfort, Kentucky:

MY DEAR JUDGE:—Had the resolution of the House been made pursuant to sections 4622 and 4627 of the Kentucky Statutes, by which reports of the State Inspector and Examiner are made to the Governor and through him are transmitted to the persons desiring information concerning the conduct of the executive departments and the misapplication or extravagant use of money, I would not have concurred in the conclusion of Mr. Sewell touching the per diem of members of the General Assembly.

In the discharge of his duties Mr. Sewell has displayed courage, untiring energy and marked ability, and in expressing this opinion, I do not mean to be put in the attitude of criticising in any way, the conduct of his office. At the same time, I am free to say that the compensation of the members of the General Assembly is grossly inadequate, and were it not for the fact that the State is heavily in debt and the demands upon the resources of the Commonwealth are at this time peculiarly pressing and peremptory, I would have suggested to the members of the House and Senate the propriety of increasing this compensation.

It is of the greatest importance to the welfare of this State, that men of enterprise and practical experience in business and of high standing in their several professions, should discharge the vital functions of the supreme lawmakers of the land. The security and prosperity of the State depend more upon the personnel of the General Assembly than any other one thing.

The Commonwealth at this time is to be felicitated upon the diligence of this body. In the midst of the rigors of an unprecedented winter and many physical inconveniences, they have assiduously devoted themselves to the discharge of their duty. No Legislature has accomplished more in the same length of time. Those who have concurred in the policies of

the administration and those who have dissented, alike, have deserved the commendation of the people by the moderation and dignity of their deliberations and by their untiring attention to their arduous duties.

Members of the General Assembly are not employed by the day. They are responsible to no governmental authority and the propriety of their conduct can be questioned only by their constituency. In my opinion, the law contemplated and intends that they should be remunerated for the entire time they are in attendance upon the session of the General Assembly and they, better than another, can determine the propriety of adjournments and recesses, and with the greatest deference to the State Inspector and Examiner, I sincerely regret that this discretion has even been inferentially called in question.

Yours very truly,
(Signed) A. O. STANLEY.

Mr. Hardin moved that said communication be read to the House and spread upon the journal.

Said motion was agreed to.

The House then took up for consideration the unfinished business of yesterday, viz.:

Motion made on yesterday in writing by Mr. Musick, which is as follows, viz.:

“Move that the report of Mr. Sewell be printed and one copy furnished to each member of the General Assembly and that we extend our thanks to the State Inspector and Examiner for his information on the General Assembly and lack of information on all other departments.”

Mr. Phelps offered an amendment by way of substitute therefor to said motion, in writing, as follows, viz.:

“I move to substitute the following for the motion of the gentleman from Breathitt:

“Refer the State Inspector and Examiner’s report to the Committee on Retrenchment and Reform.”

Said substitute was agreed to.

Said motion made by Mr. Musick, as amended by way of substitute therefor, by Mr. Phelps, was then agreed to.

Said report of the State Inspector and Examiner was then referred to the Committee on Retrenchment and Reform.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows. viz.:

By Mr. W. J. Bailey:

H. B. 232. An act to amend section 965, Kentucky Statutes, relating to the times of holding the sessions of Circuit Courts in the Twenty-first Judicial District.

To the Committee on Circuit Courts.

By Mr. Demunbrun:

H. B. 233. An act concerning the annual statement or reports and returns of railway companies, railway corporations, telephone corporations, telephone companies and express companies, required to be made and delivered to the Auditor of Public Accounts and the Railroad Commission under the provisions of article 4 of chapter 108, Kentucky Statutes, edition 1915.

To the Committee on Public Utilities.

By Mr. Thornton:

H. B. 234. An act to prohibit the sale of any drink or beverage containing any alcohol, except in a place regularly licensed to sell spirituous, vinous or malt liquors, and to prohibit the sale of coca cola, except in such places as are authorized to sell spirituous, vinous or malt liquors, and fixing a penalty for the violation thereof.

To the Committee on Alcoholic Liquor Traffic.

By same:

H. B. 235. An act to require marking or labeling of prison made goods and providing a penalty for its violation.

To the Committee on Kentucky Statutes.

By same:

H. B. 236. An act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances and providing the punishment for the violation thereof.

To the Committee on Immigration and Labor.

By same:

H. B. 237. An act providing payment of fees for attorneys appointed by judges in criminal cases.

To the Committee on Judiciary.

By Mr. Demunbrun:

H. B. 238. An act to fix the date on which property shall be assessed for taxation in cities, towns and taxing districts,

and authorizing the governing authorities in any city, town and taxing district to prescribe the method of making said assessment and the time in which same shall be completed.

To the Committee on Revenue and Taxation.

By same:

H. B. 239. An act to prevent undervaluation of notes, bonds, accounts, or other credits. secured or unsecured, or shares of stock liable to assessment, and providing penalty therefor and giving power to the tax commission of this Commonwealth to impose and collect penalty imposed therefor, on the taxpayer or person required by law to list said property for taxation.

To the Committee on Revenue and Taxation.

By Mr. Easterling:

H. B. 240. An act to amend and re-enact section 1267 of Kentucky Statutes, relating to offenses against public peace.

To the Committee on Criminal Law.

By same:

H. B. 241. An act entitled an act to amend sections 203 and 204 of the Criminal Code of Practice, relating to peremptory challenges allowed defendant.

To the Committee on Criminal Law.

By Mr. Kelly:

H. B. 242. An act to amend section 4821, Kentucky Statutes, Carroll's edition 1915, relating to weights and measures.

To the Committee on Agriculture.

By Mr. Klair:

H. B. 243. An act relating to the office of police judge in cities of the second class in this Commonwealth.

To the Committee on Municipalities.

By same:

H. B. 244. An act amending and re-enacting section 786 of the Kentucky Statutes, Carroll's 1909 edition, relating to railroad signals at crossings.

To the Committee on Interurban and City Railways.

By same:

H. B. 245. An act to amend and re-enact an act entitled An act to declare the wilful desertion of indigent children under the age of sixteen years by parents a felony, and to provide punishment therefor and to empower Circuit Courts in the Commonwealth to put said parents before or after conviction upon probation during good behavior, and power to ultimately set aside any judgment or to continue any indictment or any other preceeding against said parents at any time within five years from the finding of said indictment or the return of any verdict of conviction under this act in the sound judicial discretion of said courts, and passed by the regular session of the General Assembly of 1916 and approved March 4th, 1916.

To the Committee on Kentucky Statutes.

By Mr. Lee:

H. B. 246. An act to repeal and re-enact section 12 of chapter 42, Acts of the General Assembly of 1916, which act is entitled An act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth, approved March 19th, 1912, entitled An act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a State Guard, and making an appropriation for same.

To the Committee on Military Affairs.

By Mr. R. T. Smith:

H. B. 247. An act to prohibit the practice of law by corporations.

To the Committee on Codes of Practice.

By Mr. McClellen:

H. B. 248. An act to amend and extend chapter 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 21, 1902, entitled an act providing for the establishment and maintenance of Free Public Libraries in cities of the first class (which is also section 2801b, subsection 3 of Kentucky Statutes, edition of 1915, edited by Hon. J. D. Carroll) and to authorize Free Public Libraries of cities of the first class to mortgage property or to issue bond thereon, and to authorize cities of the first class to guarantee the payment of any bonds issued by the said Free Public Libraries either the principal or interest or both.

To the Committee on Kentucky Statutes.

By Mr. A. R. Hudson:

H. B. 249. An act to amend section 69 of an act for the government of cities of the first class, approved July 1, 1893, the same being now section 2832, Kentucky Statutes, Carroll's edition of 1915, relating to public ways.

To the Committee on Kentucky Statutes.

By Mr. Beckmann:

H. B. 250. An act to provide a system of universal transfers on street railways in counties containing cities of the first class.

To the Committee on Municipalities.

By Mr. McDonogh:

H. B. 251. An act authorizing the Fiscal Court of counties containing a population of over two hundred thousand (200,000) wherein there is located a city of the first class, to contract with the Board of Trustees of the Free Public Library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools of said city and for the purpose of enabling the said Fiscal Court to appropriate a sum of money annually for the maintenance and support of such library, payable out of the county levy funds in its hands.

To the Committee on Municipalities.

By same:

H. B. 252. An act to abolish what are commonly known as loan sharks and to regulate the business of lending money in sums of three hundred (\$300.00) dollars or less by persons, firms and corporations other than banks, trust companies, building and loan associations and pawnbrokers.

To the Committee on Kentucky Statutes.

By Mr. Murphy:

H. B. 253. An act to amend an act relating to revenue and taxation, providing a license tax for conducting a race track at which races are run for purses and prizes, approved April 28, 1917.

To the Committee on Revenue and Taxation.

By Mr. Gilbert:

H. B. 254. An act to amend an act of 1914, chapter 88b of Carroll's edition, Kentucky Statutes, 1915, relating to motor vehicles.

To the Committee on Revenue and Taxation.

By Mr. Schneider:

H. B. 255. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

To the Committee on Revenue and Taxation.

By Mr. Hardin:

H. B. 256. An act to repeal and re-enact subsections 1, 3, 4, 8, 12, 14 and 26 of section 4421a of the Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 4421b of Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 1 of chapter 8 of the Acts of the General Assembly of Kentucky of 1916, all relating to the adoption, sale and distribution of school text books in the State of Kentucky, and in the cities of the first, second, third and fourth class.

To the Committee on Education No. 1.

By Mr. Spurrier:

H. B. 257. An act to amend section 1072 of the Kentucky Statutes, 1915 edition, prepared by the Hon. J. D. Carroll, providing for the salary of county judges and the installments in which the same shall be paid.

To the Committee on County and City Courts.

By Mr. Musick:

H. B. 258. An act providing for the appointment of four special Circuit Judges for the State-at-large, fixing their terms and salaries and defining their duties.

To the Committee on Judiciary.

By same:

H. B. 259. An act providing text books for indigent children and fixing the duties of county judges, superintendents of schools, trustees, teachers, supervisors of schools and truant officers.

To the Committee on Education No. 1.

By same:

H. B. 260. An act to amend and re-enact subsection 6 of section 4399, Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Education No. 2.

By same:

H. B. 261. An act to regulate the time of holding the terms of Circuit Courts in the Twenty-third Judicial District and the terms of such court and declaring an emergency.

To the Committee on Circuit Courts.

By Mr. T. J. Smith:

H. B. 262. An act to locate a part of the State line between the States of Kentucky and Virginia, and to provide a commission to establish and mark said line, which is now and for a long period of time has been in dispute.

To the Committee on Geological Survey.

Mr. R. T. Smith moved that House Bill No. 47, which was reported by the Committee on Public Offices with the expression of opinion that same ought not to pass, be given a first reading and placed in the calendar, the expression of the committee to the contrary notwithstanding.

Said motion was disagreed to.

Mr. Thornberry offered the following resolution, viz:

Whereas, there was heretofore introduced in this House a resolution calling on the State Inspector and Examiner to furnish information to this House in regard to the name, duties and salaries of every employe working in the various departments of the State government, and as to whether or not such employes were necessary to the reasonable conduct of the affairs of the State, and,

Whereas, In response to said resolution the said Inspector and Examiner failed to furnish the information called for, but instead indulged in a criticism of the official conduct of the members of this House, and in said report as so fur-

nished there was contained an untrue statement of the facts as to the duties of the members of the Legislature, and,

Whereas, said Inspector and Examiner called on the members of this House to refrain from drawing a salary except when the House was actually in session and undertook to set out the amount of time actually consumed by the members of this House and the compensation therefor, the said Inspector and Examiner, in said report, sets out facts that he knew to be untrue when he made them, or was mistaken as to the duties of the members of the Legislature, or was not familiar with the duties required of them, and,

Whereas, the method of enacting laws of the State of Kentucky first requires bills to be introduced, referred to committees and in the organization of the House the Speaker is required to assign the various members to various committees, and after said bills are introduced and the members of the Legislature are required to study their contents, their connection with present laws already enacted and the future effect of said bills on the Commonwealth, and,

Whereas, Inspector and Examiner Nat B. Sewell, prior to his appointment to the present office that he holds, represented book interests as to legislation pending before the Legislature of the Commonwealth of Kentucky, and so represented such interests for several sessions of the Legislature, said Inspector and Examiner should have been and was familiar with the procedure of the Legislature and the duties of the members in connection therewith, and knew at the time he filed his report herein, that the members of this body were required to study all bills introduced, and knew that same could not be done during the time that the House was actually in session, and that it was necessary for the members to confer with the various interests affected by proposed legislation and what effect such laws had on the property rights and welfare of the people of the Commonwealth, and said Inspector and Examiner knew that the members of this House, during the time the Legislature was not in session, were re-

quired, in order to intelligently discharge their duties, to spend many hours both day and night to study such proposed laws, and,

Whereas, said Inspector and Examiner in said report bases the salary of the members of the Legislature on the time actually in session, and suggests that they only be paid for the time they are actually in session, and,

Whereas, said Inspector and Examiner knew that the members of this body must perform their duties in the same way that the members of the Kentucky Court of Appeals discharge their duties, and,

Whereas, said Inspector and Examiner knew that the Court of Appeals of Kentucky meets in session only on Tuesdays and Fridays of each week, and is in session approximately fifteen minutes each day, and that they, like the members of the Legislature, are required to work many hours both day and night when they are not in formal session studying the cases and examining the records submitted to them for their decision.

Therefore, be it resolved by the House of Representatives, that the State Inspector and Examiner report to this House the number of hours per day of services performed in formal session by the various boards of the Commonwealth, and the number of hours of service rendered at other times by such boards, and the various members thereof, and he furnish to this House for the information of the public the number of bills introduced in both House and Senate at this session, what each bill relates to, a synopsis of its contents, its effect and connection with past laws already enacted by the Legislature of the Commonwealth and on the Statute book of the State of Kentucky, the future effect of such laws if enacted on the property interests of the Commonwealth and the welfare of the people; and that he further report to this House the amount of time consumed by himself in reading each and every bill introduced in both the House and Senate, and the actual time consumed by him in investigating as to whether

or not such legislation is beneficial or needful to the interest of the Commonwealth.

And that he further report to this House the necessary investigation from other places other than the city of Frankfort necessary to be made to find out as to whether or not such laws are desired by the various constituents of the members of this body.

That said Inspector and Examiner also furnish to this House the amount of mail received by each member of this House from the various voters in their legislative districts in regard to pending legislation and the amount of time consumed in answering such correspondence.

And be it further resolved that such Inspector and Examiner furnish the number of hours per year that the State Railroad Commission has actually been in session, the number of hours per year the State Board of Prison Commissioners have actually been in session, the number of hours per year the State Board of Control for Charitable Institutions has been in session, the number of hours per year the State Insurance Rating Board has been in session and the number of hours the attorney for the State Insurance Rating Board has actually served in the performance of the duties of his office.

Be it further resolved that the above information be furnished to this House not later than February 8, 1918.

Mr. Radcliffe moved that said resolution be printed as bills are printed and laid upon the desk of each member.

Said motion was disagreed to.

Mr. Musick moved that said resolution be referred to the Committee on Retrenchment and Reform.

Said motion was agreed to.

Mr. Vance moved that the orders of the day be post-

poned until after the committees to which bills had been referred had been called for reports.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 84. An act dividing the Commonwealth of Kentucky into Thirty-eight Senatorial Districts.

To the Committee on Redistricting, Legislative.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled Senate Bill of the following title, viz.:

S. B. 3. An act proposing an amendment to the Constitution of the Commonwealth of Kentucky prohibiting after June 30th, 1920, the manufacture, sale or transportation of spirituous, vinous, malt or intoxicating liquors with certain exceptions and providing for the enforcement thereof, and a way by which it shall be submitted to the people for their approval or rejection.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

Mr. Klair moved that the session of today be extended until the standing committees make their reports.

Said motion was agreed to.

The committee to which the same had been referred reported a resolution of the following title, viz.:

Resolution employing stenographer to the Clerk and an Assistant Reading Clerk for the House of Representatives of Kentucky.

Said resolution reads as follows, viz.:

Be it resolved by the House of Representatives:

That the Speaker of the House of Representatives be, and he is hereby, authorized and directed to employ a stenographer to the Clerk of the House of Representatives, and an Assistant Reading Clerk for said House of Representatives, each of said employes to receive a salary of \$5.00 per day during the 1918 session, such employes to be paid from the date such services began, and the Auditor of Public Accounts is hereby directed to draw his warrant on the State Treasurer for the payment of said salary.

The duties of said stenographer and Assistant Reading Clerk shall be designated by the Chief Clerk of the House of Representatives.

Mr. Hardin, of the Committee on Appropriations, to which the foregoing resolution had been referred, reported the same with the expression of opinion that same ought to be adopted with the following amendment, viz.:

Strike out in lines three, four and five of said resolution the following words, beginning after the word Representatives, in line three, "and an Assistant Reading Clerk for said House of Representatives, each of," so that as amended said resolution shall provide only for the employment of a stenographer to the Clerk.

Said amendment was agreed to.

Said resolution, as amended, was adopted.

Mr. Hardin, of the Committee on Appropriations, to which the same had been referred, reported without expression of opinion a joint resolution of the following title, viz.:

H. Res. 6. Joint resolution to investigate the expenditures of the Commonwealth of Kentucky, for its public institutions.

(For said resolution see House Journal Jan. 23rd.)

Mr. Vance offered the following amendment to said resolution, viz.:

Amend House Resolution No. 6 by striking out, in section 3 in lines 1, 2 and 3, the following words: "directed to report its findings back to the House and Senate not later than the 20th day of February, 1918, and they are" and by striking out in line four the following: "in the meantime" and insert therefor the following: "from time to time," making the amended lines of said section read as follows: "Said committee is authorized to make such report from time to time as may appear to them to be proper and necessary."

Said amendment was agreed to.

Mr. Klair offered the following amendment to said resolution, viz.:

Strike out, in line 1, page 3, the word "two" and insert in lieu thereof "majority." Strike out, in line 6, page 3, the word "three" and insert in lieu thereof "majority." Strike

out, on page 3, the word "three" and insert in lieu thereof "majority."

Mr. Minor moved that said amendment offered by Mr. Klair be laid on the table.

Said motion was disagreed to.

Said amendment offered by Mr. Klair was then agreed to.

Mr. Meyers moved the previous question.

Said motion was agreed to.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Said resolution, as amended, was then adopted.

Mr. R. T. Smith moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Meyers moved that when this House adjourns today it be to meet again on Tuesday next, February 5th, 1918, at 1:30 o'clock p. m.

Mr. Rice by way of an amendment to said motion moved that when this House adjourns today it be to meet again on Tuesday next, February 5th, 1918, at eleven o'clock a. m.

Said amendment was agreed to.

Said motion made by Mr. Meyers, as amended by Mr. Rice, was then agreed to.

Mr. Hardin, of the Committee on Appropriations, to which the same had been referred, reported a resolution with the expression of opinion that same ought not to be adopted, which resolution is of the following title, viz.:

Resolution for the employment of necessary assistance for the House of Representatives, and providing for the services rendered.

(For said resolution see House Journal Jan. 24th.)

Mr. Rice moved that said resolution be recommitted to the Committee on Appropriations with leave to report at any time.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Caudel, of the Committee on Circuit Courts:

H. B. 26. An act to amend subsection 7 of section 1019a of the act approved March 29th, 1902, entitled an act to provide for stenographic reporters for courts of continuous session.

By same:

H. B. 43. An act changing the time for holding the sessions of Circuit Courts of the Ninth Circuit Court District of Kentucky.

By same:

H. B. 92. An act to amend section 965, Kentucky Statutes, relating to Circuit Courts in the Twelfth Judicial District.

By same:

H. B. 110. An act to regulate the time of holding the terms of the Circuit Court in the Twenty-eighth Judicial District.

By same:

H. B. 119. An act amending that part of section 965, Kentucky Statutes, relating to the times for holding court in the Thirty-fourth Judicial District.

By same:

H. B. 22. An act to repeal and re-enact section 1, chapter 39, of the Acts of 1916, amending chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony and misdemeanor.

By Mr. Bell, of the Committee on Education No. 1:

H. B. 151. An act to prohibit the German language being taught in the public schools of Kentucky.

By Mr. T. P. Oliver, of the Committee on Education No. 2:

H. B. 108. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition of 1915, relative to the State Normal School for colored persons and amending and re-enacting same.

By Mr. Schneider, of the Committee on Fish and Game:

H. B. 33. An act to amend, repeal and re-enact section 5 of chapter 31 of the acts of the General Assembly of 1916, which is an act for the protection of game birds and animals.

By same:

H. B. 113. An act for the protection of certain migratory game birds, fixing open seasons, and providing penalty for violation.

With an amendment thereto.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 170. An act to suppress trading stamps, coupons, tickets, certificates, labels, metal checks and tags and other similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violations of its provisions.

By same:

H. B. 57. An act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson county.

By same:

H. B. 98. An act relating to landlord and tenant and especially to the recovery of rent by the landlord and amending sections 2314 and 2317, Carroll's Kentucky Statutes, edition 1915.

By same:

H. B. 15. An act to regulate the running at large of cattle, sheep, horses, hogs, ducks, geese, chickens and other species of live stock and poultry within the cities and towns of this Commonwealth, and providing for the enforcement thereof.

With an amendment thereto.

By same:

H. B. 78. An act to amend and re-enact section 1358, Kentucky Statutes, relating to the offense of sale of mortgaged personal property.

By same:

H. B. 90. An act to amend and re-enact section 1155 of the Kentucky Statutes.

By same:

H. B. 131. An act providing for the payment of premiums on bonds executed by certain State officers.

By Mr. Beckmann, of the Committee on Municipalities:

H. B. 142. An act to amend section 2751 of the Kentucky Statutes, Carroll's edition 1915, providing for the publication of general ordinances of cities of the first class, being a part of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

By Mr. Hamilton, A. L., of the Committee on Printing:

H. B. 183. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1909, relating to public printing, binding and stationery, which is now section 3956, Kentucky Statutes, 1915.

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 168. An act to amend and re-enact section 1 of an act entitled an act relating to revenue and taxation, providing an annual tax upon property subject to taxation in this State, fixing the rate thereof, distributing said tax to various departments and State institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations, designating what classes of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignment of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording certain mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing penalties and repealing existing statutes, and approved at a special session of the State Legislature, 1917.

With an amendment thereto by way of substitute therefor.

Mr. Klair moved that the rules be suspended and that said bills be placed in the calendar without being referred to the Committee on Appropriations.

Said motion was agreed to.

By same :

H. B. 35. An act to amend and re-enact section 19 of chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, relating to the appointment and number of county supervisors.

By same :

H. B. 143. An act to provide a budget system of appropriations, providing a method for ascertaining the expenditures of the various departments of the State government, board, commission, institution, charitable, educational or correctional, or any other State agency, supported in whole or part by appropriation from the State treasury, for the past two fiscal years, and their needs for the ensuing biennium, and the amount of appropriation necessary therefor, the financial condition of the State; creating a Budget Appropriation Commission, and prescribing their duties, providing for the submission to the General Assembly a budget compiled by the Budget Appropriation Commission, showing the financial standing of the State, expenditures of the various departments, boards, commissions, institutions and agencies of the State for the past two years and their financial needs for the ensuing two years, accompanied by a budget appropriation bill drawn by the Budget Appropriation Commission, which shall comprise all appropriations for said departments, boards, commissions, institutions, and agencies, excepting the common schools, legislature and judiciary, for two ensuing years; providing for its passage by the General Assembly, and regulating the procedure in the passage of all other appropriation bills.

By Mr. Bonta, of the Committee on Suffrage and Elections :

H. B. 68. An act relating to the destroying of election ballot stubs.

By same:

H. B. 93. An act providing for a run-off primary election to be held on the fourth Saturday in August, where there have been more than two candidates in the regular August primary held the first Saturday in August, and providing rules and regulations governing same.

By Mr. Ballard, of the Committee on State University:

H. B. 173. An act to create a board of trustees for the government, administration and control of the University of Kentucky, providing for its appointment, and repealing previous laws relating to same subject.

By Mr. Lilly, of the Committee on Banks and Banking:

H. B. 222. An act to amend article 2, subdivision 1, section 583, of the Kentucky Statutes, being chapter 32, Carroll's 1915 edition, an act of April 5, 1893, relating to indebtedness of person to bank and highest amount permitted to be loaned by banking institutions and fixing the amount of funds or moneys a bank may invest in United States Government Bonds, United States Certificates of Indebtedness and State Warrants or bonds of the Commonwealth of Kentucky.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Musick, of the Committee on Codes of Practice, to which the same had been referred, reported, with the expression of opinion that same ought not to pass, a bill of the following title, viz.:

H. B. 44. An act repealing section 334 of the Civil Code of Practice relating to the time for filing a bill of exceptions together with the amendment thereto, and re-enacting the same with certain modifications thereof.

The Speaker stated the question: Shall said bill be given its first reading, the report of the Committee to the contrary notwithstanding?

Said question was decided in the negative.

Mr. Musick, of the Committee on Codes of Practice, to which the same had been referred, reported with the expression of opinion that same ought not to pass, a bill of the following title, viz.:

H. B. 67. An act requiring plaintiff to give bond for cost in suit for libel for use of defendant should he fail to get judgment against the plaintiff.

The Speaker stated the question: Shall said bill be given its first reading, the report of the Committee to the contrary notwithstanding?

Said question was decided in the negative.

Mr. McDonogh, of the Committee on Kentucky Statutes, to which the same had been referred, moved that House Bill No. 32 be re-referred to the Committee on Revenue and Taxation.

Said motion was agreed to.

Mr. Speaker Crowe laid before the House the following communication and opinion of the Attorney General of Kentucky, viz.:

Frankfort, January 23, 1918.

Hon. Robert T. Crowe, Speaker of the House of Representatives, Frankfort, Kentucky:

DEAR SIR:—You have requested an opinion from this department on the right of the House of Representatives to declare a vacancy to exist and to call an election to fill such vacancy, in a legislative district in which the person who was certified as having been duly elected in such district failed to qualify by taking the oath of office and who has not appeared before the House to perform the duties of his office. The House has received no explanation as to why the member-elect has failed to appear and take the oath of office and to perform his official duties.

Section 30 of the Constitution provides that the term of office of Representatives and Senators shall begin upon the first day of January of the year succeeding their election. Section 36 provides that the General Assembly shall meet on the first Tuesday after the first Monday in January. Section 228 provides that the members of the General Assembly, before entering upon the execution of their official duties, shall take the oath of office.

From these sections it is manifest that the term of office began on January 1, 1918, and to run until January 1, 1920, but that the member was not required to enter upon the active execution of the duties of his office until the 8th day of January, 1918, and was not required to take the oath of office until he was about to enter upon the execution of the duties of his office.

At present there is no lawful incumbent performing the duties of the office. Does the failure of the member to appear and qualify by the time fixed by the Constitution or within a reasonable time thereafter vacate his office?

Section 1521 of the Kentucky Statutes is as follows:

“The term ‘vacancy in office,’ or any equivalent phrase, as used in this article, means such as exists when there is an unexpired part of a term of office without a lawful incumbent therein, or when the person elected or appointed to an office fails to qualify according to law, or when there has been no election to fill the office at the time appointed by law, it applies whether the vacancy is occasioned by death, resignation, removal from the State, county or district or otherwise.”

Section 3755 of Kentucky Statutes is as follows:

“If the official bond is not given and the oath of office taken on or before the day on which the term of office to which a person has been elected begins, or in cases of persons appointed to office within thirty days after such person has received notice of his appointment, the office shall be considered vacant, and he shall not be re-eligible thereto for two years.”

In the case of *Lewin v. Ft. Mitchell*, 148 Ky. 816, the Court of Appeals used the following language:

“It is our opinion that when a person is duly elected to office and a bond for the faithful performance of his duties is not required, he should be permitted to qualify within a reasonable time after the day fixed for taking the oath, provided he has a reasonable excuse for the delay.”

Applying this decision to the question under consideration, we are of the opinion that a direct proceeding should be had to determine whether the member has delayed an unreasonable length of time in taking the oath of office and in entering upon the execution of the duties of his office.

In the case of *Stokes v. Kirkpatrick*, 58 Ky. (1 Met.) 138, the Court of Appeals held that according to the ancient and well established rules and principles applicable to the vacation or forfeiture of offices, such vacancy or forfeiture can be declared only by a direct proceeding for the purpose, unless a different mode be provided by express statute. We have found

no such express statute relating to the matter under consideration and, therefore, we think the rule is applicable.

This leads us to the question: "What is the proper tribunal to determine, in a direct proceeding, whether the member has vacated his office?" If a vacancy exists, section 1524 of Kentucky Statutes makes it the duty of the Speaker to issue a writ of election to fill such vacancy.

As expressed in section 308 of Throop on Public Officers:

"The law abhors vacancies in public offices, and great precautions are taken to guard against their occurrence. The policy of the law is to have someone always in place to discharge the duties of public officers."

Hence, the importance of determining whether a vacancy exists.

We are of the opinion that the House itself is the proper tribunal to determine, under such rules or procedure as it may adopt, whether a vacancy does exist.

Section 38 of the Constitution provides that:

"Each House of the General Assembly shall judge of the qualifications, elections and returns of its members. . . ."

The Constitution of Kansas conferred this power on the House in the following language:

"Each House shall be judge of the elections, returns and qualifications of its own members."

Mr. Justice Brewer, in commenting on it in the case of *State v. Gilmore*, 20 Kan. 551, used the following language:

"This is a grant of power, and constitutes each House the ultimate tribunal of the qualifications of its own members. The two houses, acting conjointly, do not decide. Each house acts for itself, and by itself; and from its decision there is no appeal, not even to the two houses. And this power is not exhausted when once it has been exercised, and a member admitted to his seat. It is a continuous power and runs through the entire term. At any time, and at all times during the term

of office, each house is empowered to pass upon the present qualifications of its own members.”

Section 39 of the Constitution provides that each House of the General Assembly may determine the rules of its proceedings, punish a member for disorderly behavior, expel a member, punish for contempt, etc.

Since the House is thus invested with the plenary powers in the matter of determining the qualifications, elections and returns, and disciplining its members, and since it may deprive a member of his office as representative, it necessarily follows that the House may exercise the more restricted right to determine whether one of its members has delayed for an unreasonable length of time to qualify and also to determine whether the member has a reasonable excuse. The action of the House in deciding these questions is final and binding upon all parties. We have been unable to find where this identical question has been passed on, but we believe the foregoing conclusion to be supported by the authorities.

Yours very truly,

(Signed) D. O. MYATT,
Assistant Attorney General.

And then the House, in accordance with, and pursuant to, motion heretofore made and agreed to, adjourned to meet on Tuesday next, February 5th, 1918, at eleven o'clock a. m.

TUESDAY, FEBRUARY 5, 1918.

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

L. D. Baldauf	A. L. Hamilton	W. F. Paris
J. H. Ballard	L. B. Hamilton	Lilburn Phelps
Robert Bays	E. C. Hardin	Ote Piper
H. V. Bell	B. H. Harris	H. C. Rice
Leroy Bonta	David J. Howard	Avery Sartin
J. L. Bradford	Joe Huddleston	Joe Schneider
C. V. Brown	A. R. Hudson	R. T. Smith
R. J. Cain	J. W. Johnson	T. J. Smith
T. L. Caudel	Leslie P. Jones	Thomas Spurrier
Everett Cobb	Griffin Kelly	Ben Street
John Cook	W. F. Klair	John W. Swope
Fred Cornelius	H. A. Knollmann	Elmore Thomas
W. P. Cropper	S. D. Laughlin	John B. Thomas
James S. Cruse	M. E. Lee	Geo. F. Thompson
J. C. Davis	J. E. Lilly	J. T. Thornton
A. A. Demunbrun	Harry J. Meyers	S. G. Thornberry
Harry Dill	Clarence Miller	W. F. Trusty
H. L. Dixon	John T. Murphy	J. Wood Vance
W. G. Dycus	Ryland C. Musick	F. C. VanHoose
F. A. Easterling	A. J. McCandless	Geo. C. Waggoner
J. M. Elliston	H. C. McGehee	G. Frank Walthal
I. H. Gabbard	S. Lee McGohan	T. R. Welch
Lark Garnett	H. C. McLellen	W. N. Winn
M. E. Gilbert	W. B. O'Bannon	E. G. Young
W. H. Hager	A. J. Oliver	
J. S. Hall	T. P. Oliver	

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Upon motion of Mr. Davis the reading of the Journal of February 1st, 1918, was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. A. J. Oliver:

H. B. 263. An act to amend sections 571 and 576 of the Kentucky Statutes relating to corporations—private.

To the Committee on Corporate Institutions.

By Mr. W. J. Bailey:

H. B. 264. An act relating to revenue and taxation and providing method of paying deputy assessors.

To the Committee on Revenue and Taxation.

By Mr. Easterling:

H. B. 265. An act to amend and re-enact sections 1896 and 1900, Kentucky Statutes, edition 1915, relating to the destruction of fish by dynamite or any explosive, and the killing of fish by shooting with a gun or pistol, or killing fish by any drug, injurious substance or medicated bait.

To the Committee on Fish and Game.

By Mr. McGehee:

H. B. 266. An act providing for the abolishment of the office of assessor in the various counties of the State of Kentucky, and imposing the duties of said office on the justices of the peace of said counties.

To the Committee on Revenue and Taxation.

By Mr. Gabbard:

H. B. 267. An act to amend and re-enact chapter 23a, section 418a, Kentucky Statutes, Carroll's edition 1915, which is an act of 1912, dividing the State of Kentucky into eleven Congressional districts.

To the Committee on Congressional Redistricting.

By Mr. Cruse:

H. B. 268. An act to amend section 3469, chapter 89, Kentucky Statutes, relating to Boards of Education in third class cities.

To the Committee on Education No. 1.

By same:

H. B. 269. An act to amend section 3462, chapter 89, Kentucky Statutes, relating to the government of cities of the third class and providing for election of Board of Education.

To the Committee on Education No. 1.

By Mr. Miller:

H. B. 270. An act to prevent fraud in the sale and disposition of stocks, bonds, notes, contracts or other securities, and certain real estate, sold or offered for sale, within the State of Kentucky, and providing penalties for the violation thereof.

To the Committee on Kentucky Statutes.

By Mr. McGohan:

H. B. 271. An act fixing the fees of the county court clerk for issuing licenses.

To the Committee on Public Offices.

By Mr. L. B. Hamilton:

H. B. 272. An act providing for the offices of the State Board of Health and all of its subsidiary departments to be located at the seat of government; providing offices therefor; and providing money for the removal of same from Bowling

Green, Warren county, Kentucky, to Frankfort, Franklin county, Kentucky.

To the Committee on Appropriations.

By Mr. R. T. Smith:

H. B. 273. An act to amend and re-enact section 20, chapter 17. Acts of 1916, entitled an act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

To the Committee on Public Warehouses and Granaries.

By Mr. Ellison:

H. B. 274. An act to provide for the payment of the clerical assistance of the Auditor of Public Accounts and for additional assistance for the proper conduct of said office.

To the Committee on Appropriations.

By Mr. Hudson:

H. B. 275. An act to repeal section 2774 of the Kentucky Statutes, Carroll's edition 1915, concerning the publication of ordinances in cities of the first class.

To the Committee on Municipalities.

By same:

H. B. 276. An act to amend section 2773 of the Kentucky Statutes of 1915, concerning the Journals of the boards of the general councils and the publication of the proceedings of said boards in cities of the first class.

To the Committee on Municipalities.

By Mr. Welch:

H. B. 277. An act to amend and re-enact section 2711b, chapter 128a, of the Kentucky Statutes, Carroll's edition of 1915, relating to the tuberculosis commission.

To the Committee on Tuberculosis.

By same:

H. B. 278. An act to provide for the compulsory education of the deaf and providing penalties for violation thereof.

To the Committee on Charitable Institutions.

By Mr. VanHoose:

H. B. 279. An act changing the time of holding circuit court in the Twenty-fourth Judicial District, composed of the counties of Johnson and Martin.

To the Committee on Circuit Courts.

By Mr. Cornelius:

H. B. 280. An act providing that all jurors summoned in any court in this Commonwealth for service shall be paid for their services the sum of three dollars per day and providing for payment of jurors summoned and not accepted.

To the Committee on Appropriations.

By Mr. Rice:

H. B. 281. An act to amend and re-enact sections 3800a and 3813 (19), Kentucky Statutes, Carroll's edition 1915;

said section 3800a relating to assistant deputy wardens of the penitentiaries of the Commonwealth of Kentucky and said section 3813 (19) relating to salaries of officers and guards of said penitentiaries.

To the Committee on State Prisons and Houses of Reform.

By same:

H. B. 282. An act to suppress, prevent, control and eradicate communicable diseases in live stock. to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2, chapter 5, Carroll's 1915 edition Kentucky Statutes.

To the Committee on Agriculture.

By Mr. Bradford:

H. B. 283. An act amending an act entitled an act for the government of cities of the fifth class, approved July 3rd, 1893.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. Beckham:

H. B. 284. An act to amend and re-enact subsection 5 of section 4356x of Carroll's 1915 edition of Kentucky Statutes relating to system of public State roads.

To the Committee on Public Roads and Highways.

By Mr. Hardin:

H. B. 285. An act making it unlawful to own, keep or have in one's possession a pistol, without a license, and with certain exceptions, and providing penalty and means of issue of license.

To the Committee on Criminal Law.

The House took up for consideration from the calendar bills of the following titles. viz.:

H. B. 16. An act relating to elections, and providing means of special registration for officers and employes of the Commonwealth or of the United States.

H. B. 111. An act relating to election returns of districts composed of more than one county.

H. B. 150. An act to amend section 3034 of the Kentucky Statutes. Carroll's edition of 1915. concerning the revocation of liquor licenses by the license board in cities of the first class, and regulating appeals in such cases to the circuit court, being part of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

H. B. 165. An act to repeal section 1342 of the Kentucky Statutes, Carroll's 1915 edition, and to re-enact the same.

S. B. 14. An act making unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a

person violating this act, out of the county levy of the county in which the indictment may be returned.

H. B. 112. An act to repeal section 3095 of the Kentucky Statutes and to enact in lieu thereof sections 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f, 3095g and 3095h, relating to the condemnation of property for public purposes of cities of the second class.

H. B. 55. An act to promote temperance in the State.

H. B. 135. An act to amend section 1277, subdivision IV of article IV, chapter 36 of the Kentucky Statutes, Carroll's edition of 1909, entitled crimes and punishments.

H. B. 162. An act regulating the width of tires and the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

H. B. 163. An act relating to the maintenance of inter-county seat roads.

H. B. 73. An act for the improvement of the public highways of this Commonwealth.

With an amendment thereto by way of substitute therefor.

H. B. 26. An act to amend subsection 7 of section 1019a of the act approved March 19, 1902, entitled an act to provide for stenographic reporters for courts of continuous session.

H. B. 43. An act changing the time for holding the sessions of circuit courts of the Ninth Circuit Court District of Kentucky.

H. B. 92. An act to amend section 965, Kentucky Statutes, relating to circuit courts in the Twelfth Judicial District.

H. B. 110. An act to regulate the time of holding the terms of the circuit courts in the Twenty-eighth Judicial District.

H. B. 119. An act amending that part of section 965 Kentucky Statutes, relating to the times for holding court in the Thirty-fourth Judicial District.

H. B. 22. An act to repeal and re-enact section 1, chapter 39, of the Acts of 1916, amending chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony and misdemeanor.

H. B. 151. An act to prohibit the German language being taught in the public schools of Kentucky.

H. B. 108. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition of 1915, relative to the State Normal School for Colored Persons and amending and re-enacting same.

H. B. 33. An act to amend, repeal and re-enact section 5 of chapter 31 of the Acts of the General Assembly of 1916, which is an act for the protection of game birds and animals.

H. B. 113. An act for the protection of certain migratory game birds, fixing open seasons, and providing penalty for violation.

With an amendment thereto.

H. B. 170. An act to suppress trading stamps, coupons, tickets, certifications, labels, metal checks and tags and other

similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violations of its provisions.

H. B. 57. An act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson county.

H. B. 98. An act relating to landlord and tenant and especially to the recovery of rent by the landlord and amending sections 2314 and 2317, Carroll's Kentucky Statutes, edition 1915.

H. B. 15. An act to regulate the running at large of cattle, sheep, horses, hogs, ducks, geese, chickens, and other species of live stock and poultry within the cities and towns of this Commonwealth and providing for the enforcement thereof.

With an amendment thereto.

H. B. 78. An act to amend and re-enact section 1358, Kentucky Statutes, relating to the offense of sale of mortgaged personal property.

H. B. 90. An act to amend and re-enact section 1155 of the Kentucky Statutes.

H. B. 131. An act providing for the payment of premiums on bonds executed by certain State officers.

H. B. 142. An act to amend section 2751 of the Kentucky Statutes, Carroll's edition, 1915, providing for the publication of general ordinances of cities of the first class, being a part of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

H. B. 183. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1909, relating to public printing, binding and stationery, which is now section 3956, Kentucky Statutes, 1915.

H. B. 168. An act to amend and re-enact section 1 of an act entitled an act relating to revenue and taxation, providing an annual tax upon property subject to taxation in this State, fixing the rate thereof, distributing said tax to various departments and State institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations, designating what classes of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignment of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording certain mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing penalties and repealing existing statutes, and approved at a special session of the State Legislature, 1917.

With an amendment thereto by way of substitute therefor.

H. B. 35. An act to amend and re-enact section 19 of chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, relating to the appointment and number of county supervisors.

H. B. 143. An act to provide a budget system of appropriations, providing a method for ascertaining the expenditures of the various departments of the State government,

boards, commissions, institutions, charitable, educational, or correctional, or any other State agency, supported in whole or part by appropriation from the State Treasury for the past two fiscal years, and their needs for the ensuing biennium, and the amount of appropriation necessary therefor, the financial condition of the State; creating a Budget Appropriation Commission, and prescribing their duties. Providing for the submission to the General Assembly a budget compiled by the Budget Appropriation Commission, showing the financial standing of the State, expenditures of the various departments, boards, commissions, institutions and agencies of the State for the past two years and their financial needs for the ensuing two years, accompanied by a budget appropriation bill drawn by the Budget Appropriation Commission, which shall comprise all appropriations for said departments, boards, commissions, institutions, and agencies, excepting the common schools, legislature and judiciary, for the two ensuing years; providing for its passage by the General Assembly, and regulating the procedure in the passage of all other appropriation bills.

H. B. 68. An act relating to the destroying of election ballot stubs.

H. B. 93. An act providing for a run-off primary election to be held on the fourth Saturday in August, where there have been more than two candidates in the regular August primary held the first Saturday in August, and providing rules and regulations governing same.

H. B. 173. An act to create a board of trustees for the government, administration and control of the University of Kentucky; providing for its appointment, and repealing previous laws relating to same subject.

H. B. 222. An act to amend article 2, subdivision 1, section 583, of the Kentucky Statutes, being chapter 32,

Carroll's 1915 edition, an act of April 5, 1893, relating to indebtedness of persons to a bank and highest amount permitted to be loaned by banking institutions and fixing the amount of funds or moneys a bank may invest in United States government bonds, United States certificates of indebtedness and State warrants or bonds of the Commonwealth of Kentucky.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read by their titles and ordered to be placed in the orders of the day.

Mr. Murphy moved that the standing committees be called for the purpose of reporting bills.

Said motion was agreed to.

The committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Lilly, of the Committee on Banks and Banking:

H. B. 186. An act to amend an act entitled an act to punish derogatory statements affecting any bank, savings bank or trust company, approved March 18, 1914, and to make the provisions of said act applicable to domestic insurance companies.

By Mr. Oliver, A. J., of the Committee on Criminal Law:

H. B. 153. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, and prescribing a penalty therefor.

By Mr. Bonta, of the Committee on Suffrage and Elections:

H. B. 196. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested; providing inspectors and challengers in such election; providing penalties and defining crimes in connection with such election.

By same:

H. B. 203. An act relating to elections in this Commonwealth, prohibiting any candidate to run in a final election on any ticket after having been defeated in the preceding primary election.

With an amendment thereto by way of substitute therefor.

By same:

H. B. 206. An act to amend subsection 4 of chapter 13 of the acts of the General Assembly of 1916, relating to corrupt practices, by inserting after the word "on," at the end of line four of said subsection, the words "or before," and by inserting after the word "on," in line six of said subsection, the words "or before."

By Mr. Phelps, of the Committee on County and City Courts:

H. B. 155. An act to amend and re-enact section 4251, Kentucky Statutes (Carroll's 1915 edition), relating to delinquent tax lists, and to provide for the publication of the proposed list before it is presented to or allowed by the fiscal court.

By same:

H. B. 87. An act to amend section 1846 of the Kentucky Statutes requiring the fiscal court of each county to cause to be published annually a statement showing the financial condition of the county.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 11. An act to amend section 965, Kentucky Statutes, relating to circuit courts in the Twelfth Judicial District.

To the Committee on Circuit Courts.

S. B. 28. An act to amend and re-enact section 2248, Kentucky Statutes.

To the Committee on Judiciary.

Also, that they had adopted a resolution originating in that body of the following title, viz.:

S. Res. 9. A resolution of gratitude to the United States Public Health Service.

Ordered that said resolution lie on the Clerk's desk.

Mr. Hardin, of the Committee on Appropriations, in which committee the same was originated, offered the following resolution, viz.:

H. Res. 13. Resolution employing stenographer to the Chief Clerk of the House of Representatives.

Said resolution reads as follows:

Be it resolved by the House of Representatives, the Senate concurring therein,

That the Speaker of the House of Representatives be, and he is hereby, authorized and directed to employ a stenographer to the Chief Clerk of the House of Representatives, said stenographer to receive a salary of five dollars per day during the 1918 session, such stenographer to be paid from the date such services began, and the Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the payment of said salary, in the manner and form that warrants are drawn for the per diem of members of the House and Senate, upon certification of the Chief Clerk of the House of Representatives.

The duties of said stenographer shall be designated by the Chief Clerk of the House of Representatives.

Mr. Hardin moved that the rules be suspended.

Said motion was agreed to.

Mr. Hardin moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. J. Bailey	John Cook	W. G. Dycus
L. D. Baldauf	Fred Cornelius	J. M. Elliston
J. H. Ballard	W. P. Cropper	I. H. Gabbard
W. T. Beckham	James S. Cruse	Lark Garnett
W. P. Bowman	A. A. Demunbrun	M. E. Gilbert
T. L. Caudel	H. L. Dixon	W. H. Hager

J. S. Hall	Claude D. Minor	Ben Street
L. B. Hamilton	John T. Murphy	John W. Swope
E. C. Hardin	Ryland C. Musick	Elmore Thomas
B. H. Harris	H. C. McGehee	John B. Thomas
David J. Howard	W. B. O'Bannon	Geo. F. Thompson
A. R. Hudson	A. J. Oliver	W. F. Trusty
J. W. Johnson	T. P. Oliver	J. Wood Vance
Leslie P. Jones	W. F. Paris	F. C. VanHoose
Griffin Kelly	Lilburn Phelps	Geo. C. Waggoner
W. F. Klair	H. C. Rice	G. Frank Walthal
H. A. Knollmann	Joe Schneider	T. R. Welch
S. D. Laughlin	R. T. Smith	W. N. Winn
J. E. Lilly	T. J. Smith	E. G. Young
Clarence Miller	Thomas Spurrier	—59

And so said resolution was adopted.

Mr. Klair moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Gilbert offered the following resolution, viz.:

H. Res. 14. Resolution employing stenographer to the House of Representatives.

Said resolution reads as follows:

Be it resolved by the House of Representatives, the Senate concurring therein,

That Miss Ruby Burton be employed as stenographer to the House of Representatives, said stenographer to receive a salary of five dollars per day during the 1918 session, such stenographer to be paid from the date such services began, and the Auditor of Public Accounts is hereby authorized and

directed to draw his warrant on the State Treasurer for the payment of said salary in the manner and form that warrants are drawn for the per diem of members of the House and Senate, upon certification of the Chief Clerk of the House of Representatives.

Mr. Gilbert moved that the rules be suspended.

Said motion was agreed to.

Mr. Gilbert moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	Lark Garnett	H. C. McGehee
Leroy Bonta	M. E. Gilbert	W. F. Paris
W. P. Bowman	J. S. Hall	Ote Piper
T. L. Caudel	L. B. Hamilton	T. J. Smith
John Cook	B. H. Harris	John W. Swope
Fred Cornelius	A. R. Hudson	Elmore Thomas
W. P. Cropper	Leslie P. Jones	John B. Thomas
J. M. Elliston	S. D. Laughlin	J. Wood Vance
I. H. Gabbard	Clarence Miller	W. N. Winn

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Those who voted in the negative were—

J. H. Ballard	David J. Howard	Claude D. Minor
W. T. Beckham	Joe Huddleston	John T. Murphy
James S. Cruse	J. W. Johnson	A. J. McCandless
J. C. Davis	Griffin Kelly	W. B. O'Bannon
A. A. Demunbrun	H. A. Knollman	A. J. Oliver
H. L. Dixon	M. E. Lee	T. P. Oliver
W. G. Dycus	J. E. Lilly	Lilburn Phelps

H. C. Rice	Thomas Spurrier	W. F. Trusty
Avery Sartin	Ben Street	F. C. VanHoose
Joe Schneider	Geo. F. Thompson	G. Frank Walthal
R. T. Smith	S. G. Thornberry	E. G. Young

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And so said resolution was disagreed to.

Mr. Hamilton, A. L., offered the following resolution, viz.:

H. Res. 15. A resolution of gratitude to the United States Public Health Service.

Said resolution reads as follows:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That we express the deep gratitude we feel to the United States Public Health Service for the great work it is doing in Kentucky for the prevention of blindness from tracoma, a painful, communicable, blinding eye disease.

Ordered that said resolution lie on the Clerk's desk.

Mr. Homer A. Spillman, Janitor and Bill Clerk of the House, was granted an indefinite leave of absence.

The following communications were read to the House, viz.:

“STATE NORMAL SCHOOL, IN THE WESTERN DISTRICT.

“Bowling Green, Ky., Feb. 2. 1918.

“*Hon. Eli Berry, Chief Clerk, House of Representatives, Frankfort, Kentucky:*

“MY DEAR MR. BERRY:—Thank you for the telegram.

Lieut. Perigord will be with you at 2 p. m., February 21st, as per resolution adopted in the House.

“Fraternally yours,

“(Signed) H. H. CHERRY.”

“Louisville, Ky., January 29, 1918.

“*To the House of Representatives, Frankfort, Ky.:*

“GENTLEMEN—The Fifth District of the Women’s Christian Temperance, on January the twenty-fourth, unanimously voted to commend your action in ratifying the National Prohibition Amendment.

“Our organization is very happy to know that our labors and prayers of many years are about to be crowned with success.

“We thank you, the representatives of our fair State, for placing our beloved Kentucky on the records as being the first wet State to ratify this amendment. For this we and future mothers will honor you.

“Yours for the prohibition of the liquor traffic.

“MRS. LAURA L. COMER,

“*Corresponding Secretary, 1615 Edgeland Avenue.*”

“Princeton, Ky., January 30, 1918.

“We, members of the Christian, Methodist and Presbyterian churches of Princeton, Kentucky, in union prayer-meeting assembled, resolve as follows:

“First. We heartily indorse the action of the Senate and House of Representatives of Kentucky in promptly ratifying the proposed amendment to the Federal Constitution prohibiting the beverage liquor traffic.

“Second. We rejoice in the passage of a bill by the Legislature of Kentucky submitting to a vote of the people a proposed amendment to the State Constitution prohibiting the beverage liquor traffic within the confines of Kentucky.

“Third. That a copy of these resolutions be forwarded to our representatives in both Houses of the General Assem-

bly of Kentucky, also to each of the presiding officers in both Houses of the General Assembly of Kentucky.

“(Signed) JOHN A. GATES,
Christian Church.

“W. L. CASH, M. D.,
Methodist Church.

“G. W. TOWERY,
Presbyterian Church.”

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 6, 1918.

The House was opened with prayer by the Rev, J. T. McGlothlin, pastor of the Baptist church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	John Cook	J. S. Hall
B. S. Bailey	A. S. Cooper	A. L. Hamilton
L. D. Baldauf	Fred Cornelius	L. B. Hamilton
J. H. Ballard	W. P. Cropper	B. H. Harris
Robert Bays	James S. Cruse	David J. Howard
W. T. Beckham	J. C. Davis	Joe Huddleston
B. C. Beckmann	Harry Dill	A. R. Hudson
H. V. Bell	H. L. Dixon	Chas. L. Hunter
Leroy Bonta	F. A. Easterling	J. W. Johnson
W. P. Bowman	J. M. Elliston	Leslie P. Jones
J. L. Bradford	Lark Garnett	Griffin Kelly
T. L. Caudel	M. E. Gilbert	W. F. Klair
Everett Cobb	W. H. Hager	H. A. Knollmann

M. E. Lee	T. P. Oliver	Elmore Thomas
J. E. Lilly	W. F. Paris	John B. Thomas
Clarence Miller	Lilburn Phelps	Geo. F. Thompson
Claude D. Minor	Ote Piper	J. T. Thornton
S. H. Moore	H. C. Rice	S. G. Thornberry
John T. Murphy	Lewis Ryans	W. F. Trusty
Ryland C. Musick	Avery Sartin	J. Wood Vance
A. J. McCandless	Joe Schneider	F. C. VanHoose
H. C. McGehee	Claude B. Smith	G. Frank Walthal
S. Lee McGohan	Thomas Spurrier	T. R. Welch
H. C. McLellen	Ben Street	W. N. Winn
W. B. O'Bannon	Claude M. Thomas	E. G. Young

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Upon motion of Mr. Vance the reading of the Journal of yesterday was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed, and referred as follows, viz.:

By Mr. Vance:

H. B. 286. An act to amend and re-enact section 4 of chapter 11 of the Acts of the Special Session of 1917, entitled an act relating to revenue and taxation providing an annual tax on property subject to taxation in this State, and fixing the rate thereof, by striking from said section so that the rate of taxation in this State shall be uniform.

To the Committee on Revenue and Taxation.

By Mr. Musick:

H. B. 287. An act to amend article 1, section 7 thereof, of chapter 120, of an act of the General Assembly of 1893, approved January 13, 1893, relating to the State Inspector

and Examiner, which is section 4625, Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Public Offices.

By same:

H. B. 288. An act to require the circuit judges, Commonwealth attorneys, in Kentucky, to execute official bonds for the faithful performance of their duties.

To the Committee on Circuit Courts.

By same:

H. B. 289. An act to amend article 14, section 1, of chapter 108, of an act of the General Assembly of 1916, approved March 15, 1916, relating to revenue and taxation, which same is section 4238 of the Kentucky Statutes (Carroll), 1915, by repealing and re-enacting same.

To the Committee on Revenue and Taxation.

By same:

H. B. 290. An act to repeal section 281, Carroll's edition, 1913, Criminal Codes of Practice of Kentucky.

To the Committee on Codes of Practice.

By same:

H. B. 291. An act to amend and re-enact section 107, Kentucky Statutes, Carroll's edition 1915, relating to attorneys' fees and their liens therefor in the courts of this Commonwealth.

To the Committee on Judiciary.

By Mr. Thornberry: \

H. B. 292. An act to regulate the speed of trains propelled by steam through incorporated towns or cities; for the erection of block signal systems or other safety device in the operation of trains, and to provide for the time between trains running on the same track, all looking toward the safety of the traveling public.

To the Committee on Railroads:

By Mr. Easterling:

H. B. 293. An act to amend and re-enact an act of the General Assembly of the session of 1916, being chapter 21 of said act and entitled an act in relation to the semi-monthly payment of wages and salaries by corporations for pecuniary profit and providing penalty for violation of same.

To the Committee on Immigration and Labor.

By Mr. Bell:

H. B. 294. An act appropriating money to provide for the continuance of extension work in the State of Kentucky by the Agricultural College of the University of Kentucky, under the provisions of an act of Congress of the United States, approved May 8, 1914, entitled an act to provide for co-operative agricultural extension work between the Agricultural Colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

To the Committee on Appropriations.

By Mr. Gabbard:

H. B. 295. An act to pension worthy blind persons.

To the Committee on Public Health.

By Mr. Klair:

H. B. 296. An act to repeal sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3188 and 3189 of the Kentucky Statutes and to enact, in lieu thereof, sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3187c, 3187d, 3187e, 3187f, 3187g, 3187h, 3187i, 3187j, 3187k, 3188, 3189, 3189a and 3189b, relating to revenue and taxation in cities of the second class.

To the Committee on Municipalities.

By Mr. A. L. Hamilton:

H. B. 297. An act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud-horse, jack or bull in this Commonwealth, and fixing the amount of said license, fixing the date of the expiration of the license provided for, and providing the manner for the registering and recording of the breed, name, age, color, sire and dam of the animal to be licensed, and fixing a fee for such registration, and fixing penalties for failure to procure licenses.

To the Committee on Agriculture.

By Mr. Piper:

H. B. 298. An act to amend and re-enact sections 18 and 20 of the acts approved March 7, 1914, entitled an act relating to the establishment, protecting and building of levees for the public benefit, which appears on page 71 of the

Acts of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessment against lands protected by levees for the purpose of raising money to pay the principal and interest on bonds and other liabilities of the district and levy commissioners which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of land may not be applicable.

To the Committee on Public Ditches and Fences.

By Mr. Spurrier:

H. B. 299. An act requiring common carriers of passengers in this Commonwealth to provide storage for baggage for a period of seventy-two hours free of charge.

To the Committee on Railroads.

By same:

H. B. 300. An act to require any guardian, executor, administrator or curator of trust estates or committee of persons of unsound mind, receiver or trustee for persons or estates to permit examination of books and accounts, and to prohibit the purchase of trust property by any person or corporation acting in fiduciary capacity, and providing penalties for violation of the act.

To the Committee on Kentucky Statutes.

By Mr. Van Hoose:

H. B. 301. An act to amend section 2773, Kentucky Statutes, Carroll's edition of 1915, regulating the publication of proceedings of the boards of the general council of cities of the first class.

To the Committee on Municipalities.

By Mr. R. T. Smith:

H. B. 302. An act relating to the exhibition of moving picture films, providing for the examination, approval and licensing of moving picture films and the operators of moving picture machines, and providing penalties for violation of this act.

To the Committee on Kentucky Statutes.

By same:

H. B. 303. An act to amend an act entitled an act for the government of cities of the first class, approved July 1, 1893.

To the Committee on Municipalities.

By Mr. Musick:

H. B. 304. An act to amend article 3, section 9 hereof, of chapter 74, of an act of the General Assembly of 1893, approved May 22, 1893, relating to juries, which is section 2260 of the Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Circuit Courts.

By same:

H. B. 305. An act to amend article 3, section 7 thereof, of chapter 8, of an act of the General Assembly of 1892, approved Oct. 10, 1892, relating to attorneys, which is section 124 of Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Judiciary.

By same:

H. B. 306. An act to amend article 4, section 8 thereof, of chapter 8 of an act of the General Assembly of 1892, approved Oct. 10, 1892, relating to attorneys, which is section 133 of Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Judiciary.

By Mr. Thompson:

H. B. 307. An act relating to cities of the fourth class, and providing for an appeal from the findings of the board of city tax supervisors.

To the Committee on Cities of the Fourth Class.

By Mr. Bonta:

H. B. 308. An act regulating the sale and manufacture and sale of intoxicating liquors and the issue of license therefor; providing means for testing the legality of the granting of such licenses, regulating the operation of business under such licenses; creating an inspection board, providing for an examiner and fixing his compensation; providing means for the cancellation of illegally granted licenses, granting civil damages for injuries suffered and providing for forfeiting bonds, revocation of licenses, and infliction of penalties, one or more of them, for violation of the law.

To the Committee on Alcoholic Liquor Traffic.

By Mr. Street:

H. B. 309. An act to repeal and re-enact section 25 of chapter 19 of the Acts of 1916, entitled an act creating the State Insurance Board, to supervise the operation of fire

insurance rate making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire rates; prescribing the powers of fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyd's plan, and penalty for violation thereof, and repealing existing statutes.

To the Committee on Insurance, Fire and Marine.

By same:

H. B. 310. An act to amend sections 2, 14 and 19; to repeal and re-enact subsection 21, and subsection 22 of section 24, and to amend section 28 of chapter 19 of the Acts of 1916, entitled an act creating the State Insurance Board, to supervise the operation of fire insurance rate making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance com-

panies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the power of fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyd's plan, and penalty for violation thereof, and repealing existing statutes, and to make sections 14 and 19 of said act applicable to stock casualty insurance companies and other agents.

To the Committee on Insurance, Fire and Marine.

By same:

H. B. 311. An act to repeal and re-enact as a substitute therefor section 687, Kentucky Statutes, the same being section 150 of an act entitled an act providing for the creation and regulation of private corporations, which became a law April 5, 1893.

To the Committee on Corporate Institutions.

By Mr. Waggoner:

H. B. 312. An act creating and establishing a hospital for inebriates and providing means for the maintenance of said institutions.

To the Committee on Charitable Institutions.

By same:

H. B. 313. An act to repeal and re-enact section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and setting out more clearly the duty of the county court clerk in issuing marriage license.

To the Committee on Retrenchment and Reform.

By Mr. Meyers:

H. B. 314. An act to amend section 54 of the Constitution of the Commonwealth of Kentucky.

To the Committee on Constitutional Amendments.

By Mr. Thornton:

H. B. 315. An act to amend the Workmen's Compensation Act.

To the Committee on Compensation for Industrial Injuries.

By Mr. Phelps:

H. B. 316. An act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18, 1916, relating to the distribution of State school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor; providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

To the Committee on Education No. 1.

By same:

H. B. 317. An act to repeal an act entitled an act to incorporate the town of Dunnville, in Casey county.

To the Committee on County and City Courts.

By Mr. Welch:

H. B. 318. An act imposing a license tax on all moving picture films exhibited in Kentucky, creating a board of censors to inspect same, defining the duties and powers and fixing the compensation of the members of said board, and imposing penalties upon the persons exhibiting any such pictures without such inspection, and the payment of the said license tax, and for any violation of this act.

To the Committee on Kentucky Statutes.

Mr. Baldauf announced the presence of Joseph Lazarus, Representative-elect from the 48th district, Louisville, Ky., whereupon Mr. Lazarus appeared before the bar of the House and took the oath of office prescribed by the Constitution and laws of the Commonwealth of Kentucky, which oath was administered to him by the Chief Clerk of the House.

Mr. Waggoner moved that this House recess from twelve o'clock noon until one o'clock p. m.

Mr. Klair moved that said motion made by Mr. Waggoner be referred to the Committee on Rules.

Said last named motion was agreed to.

Mr. Klair moved that the rules be suspended and that House Bill No. 168, which is now in the orders of the day, be made a special order for tomorrow at eleven o'clock a. m.

Said motion was agreed to.

Said rules were suspended.

House Bill No. 168 was made special order for tomorrow at eleven o'clock a. m.

A message was received from the Senate announcing that they had concurred in a resolution which originated in the House of the following title, viz.:

H. Res. No. 6. Joint resolution to investigate the expenditures of the Commonwealth of Kentucky for its public institutions.

In accordance with said resolution and pursuant to the provisions thereof, the Speaker appointed Messrs. Laughlin, Rice, Hardin, Cruse and A. J. Oliver to compose a committee to investigate the expenditures of the Commonwealth of Kentucky.

A message was also received from the Senate announcing that they had adopted resolutions originating in that body of the following titles, viz.:

S. Res. 8. A resolution to permit P. F. Edwards to sue the State of Kentucky

S. Res. 10. A joint resolution inviting Lieutenant Paul Perigord to address the General Assembly of Kentucky at 2:00 p. m. on the 21st day of February, 1918.

Ordered that said resolutions lie on the Clerk's desk.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Hardin, of the Committee on Appropriations:

H. B. 149. An act to amend an act entitled an act to incorporate the Confederate Home and provide for the maintenance thereof.

By Mr. Swope, of the Committee on Confederate Home:

H. B. 136. An act to amend chapter 22b, section 415n, subsections 6 and 15 of Carroll's Kentucky Statutes, 1915 edition, entitled an act to repeal and re-enact an act entitled an act granting pensions to indigent and disabled Confederate soldiers, which became a law March 18, 1914.

With an amendment thereto.

By Mr. Bell, of the Committee on Education No. 1:

H. B. 129. An act to amend section 148, chapter 24 of the Acts of the General Assembly of 1916, approved on the 18th day of March, 1916, providing for the condemning of land for the use of common graded school districts.

With an amendment thereto.

By same:

H. B. 191. An act amending sections 73, 75, 177, 185 and repealing and re-enacting section 186 and repealing section 183 of chapter 24 of the Acts of 1916, relative to certification of teachers and also amending sections 2, 16, 51, 207, 121 and 212 of chapter 24, Acts of 1916, and subsection 31, of section 2978a, and subsection 34 of section 3235a and section 3470, 3588 and 3596, Kentucky Statutes, Carroll's edition, 1915, changing the age limit for school census enumeration, and also amending sections 24 and 177 of chapter 24, Acts of 1916, making agriculture a required subject in the common school course after July 1, 1920, and amending section 46, chapter 24, of the Acts of 1916, relative to the qualifi-

cations of county superintendents and repealing section 50, chapter 24, Acts of 1916, fixing the salary of county superintendents, by repealing and amending and re-enacting same, and amending section 181, chapter 24, of the Acts of 1916, relative to the State Board of Education granting certificates to graduates of institutions of higher learning whether within or without the State, and repealing and re-enacting sections 78 and 87 of chapter 24, of the Acts of 1916, relating to change in boundaries of subdistricts and amending section 129 of chapter 24, of the Acts of 1916, relating to the amount of taxes counties may levy for local purposes.

With an amendment thereto.

By Mr. Howard, of the Committee on Judiciary:

H. B. 229. An act making elementary domestic science a required subject in the common school course of this Commonwealth on and after July 1, 1910.

By same:

S. B. 43. An act to regulate the admission of attorneys to practice law.

By same:

H. B. 95. An act to regulate the descent and distribution of deceased adopted children.

By same:

H. B. 72. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same with certain modifications thereof.

By same:

H. B. 154. An act to amend section 4464, Kentucky Statutes, relative to attesting by trial judge the transcript of testimony taken by an official stenographic report.

By Mr. Waggoner, of the Committee on Public Roads and Highways:

H. B. 231. An act to amend and re-enact sections 4329 and 4325, and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's edition of 1915, relating to public roads.

By Mr. Beckmann, of the Committee on Municipalities:

H. B. 9. An act to amend subsection 12, section 3290, chapter 89, of the Kentucky Statutes, relating to the government of third class cities.

By Mr. Kelly, of the Committee on Public Ditches and Fences.

H. B. 198. An act relating to the drainage of lands, establishment and construction of public ditches and drains and the straightening, widening, deepening or otherwise improving public ditches, drains, creeks or non-navigable streams, prescribing the method of procedure, the assessment and collection of costs and expenses thereof, creating Ditch Commissioner and prescribing his duties and compensation and providing for the payment thereof and employes having duties to perform hereunder and providing penalties.

With an amendment thereto.

By Mr. C. M. Thomas, of the Committee on Agriculture:

H. B. 139. An act to amend chapter 71 of the Acts of the General Assembly of 1916, which is an act to regulate the

practice of veterinary medicine, surgery and dentistry in the State of Kentucky; to license non-graduate veterinarians; to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor on March 24, 1916.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Cooper, of the Committee on Circuit Courts, to which the same had been referred, filed a minority report on House Bill No. 22 with the expression of opinion that same ought not to pass.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 186. An act to amend an act entitled an act to punish derogatory statements affecting any bank, savings bank or trust company, approved March 18, 1914, and to make the provisions of said act applicable to domestic insurance companies.

H. B. 153. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, and prescribing a penalty therefor.

H. B. 196. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested; providing inspectors and challengers in such election; providing penalties and defining crimes in connection with such election.

H. B. 203. An act relating to elections in this Commonwealth, prohibiting any candidate to run in a final election

on any ticket after having been defeated in the preceding primary election.

With an amendment thereto by way of substitute therefor.

H. B. 206. An act to amend subsection 4 of chapter 13 of the Acts of the General Assembly of 1916, relating to corrupt practices, by inserting after the word "on," at the end of line four of said subsection, the word "or before," and by inserting after the word "on," in line six of said subsection, the word "or before."

H. B. 155. An act to amend and re-enact section 4251, Kentucky Statutes (Carroll's 1915 edition), relating to delinquent tax lists, and to provide for the publication of the proposed list before it is presented to or allowed by the fiscal court.

H. B. 87. An act to amend section 1846 of the Kentucky Statutes requiring the fiscal court of each county to cause to be published annually a statement showing the financial condition of the county.

The constitutional provision as to the second reading of said bills at length being dispensed with said bills were read by their titles and ordered to be placed in the orders of the day.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 123. An act to prevent and punish the desecration, mutilation or improper use within the Commonwealth of Kentucky of the flag of the United States of America, and prescribing penalty therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter any person who, within the Commonwealth of Kentucky, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing or any advertisement of any nature upon any flag, standard, colors or ensign of the United States of America, or shall expose or cause to be exposed to public view any such flag, standard, colors or ensign upon which shall have been printed, painted or otherwise placed, or to which shall be attached, appended, affixed or annexed any word, figure, mark, picture, design or drawing, or any advertisement of any nature, or who, within the Commonwealth of Kentucky, shall manufacture, sell, expose for sale or to public view or give away or have in possession for sale or to be given away for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached or otherwise placed a representation of any such flag, standard, colors or ensign to advertise, call attention to, decorate, mark or distinguish the article on which so placed, or who, within the Commonwealth of Kentucky, shall publicly mutilate, deface, defile or defy, trample upon or cast contempt, either by word or act, upon any such flag, standard, colors or ensign, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$100 or by imprisonment for not more than thirty days, or both, in the discretion of the court. The words "flag, standard, colors or ensign," as used herein, shall include any flag, standard, colors, ensign or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently

purporting to be either of said flag, standard, colors or ensign of the United States of America, or a picture or a representation of either, upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard or ensign of the United States of America.

§ 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Mr. Howard offered the following amendment to said bill, viz.:

Amend House Bill 123 by adding thereto at the end of section 1, the following words:

“Provided that there is excepted from the provisions of this act patriotic cartoons used and published for patriotic purposes.”

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
L. D. Baldauf

J. H. Ballard
Robert Bays

W. T. Beckham
B. C. Beckmann

H. V. Bell	L. B. Hamilton	Richard Radcliffe
Leroy Bonta	E. C. Hardin	Lewis Ryans
W. P. Bowman	B. H. Harris	Avery Sartin
J. L. Bradford	David J. Howard	Joe Schneider
O. V. Brown	Joe Huddleston	Claude B. Smith
T. L. Caudel	Chas. L. Hunter	R. T. Smith
H. C. Chappell	J. W. Johnson	T. J. Smith
Everett Cobb	Leslie P. Jones	Ben Street
John Cook	Griffin Kelly	John W. Swope
Fred Cornelius	W. F. Klair	Claude M. Thomas
W. P. Cropper	H. A. Knollmann	Elmore Thomas
James S. Cruse	Joseph Lazarus	John B. Thomas
J. C. Davis	J. E. Lilly	Geo. F. Thompson
A. A. Demunbrun	Clarence Miller	S. G. Thornberry
H. L. Dixon	Claude D. Minor	J. Wood Vance
W. G. Dycus	S. H. Moore	F. C. VanHoose
J. M. Elliston	John T. Murphy	Geo. C. Waggoner
L. L. Embry	Ryland C. Musick	G. Frank Walthal
I. H. Gabbard	W. P. McDonogh	T. R. Welch
Lark Garnett	H. C. McLellen	W. N. Winn
W. H. Hager	W. B. O'Bannon	E. G. Young
J. S. Hall	T. P. Oliver	
A. L. Hamilton	Ote Piper	

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Resolved that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 125. An act empowering owners of farms to name them, and providing for the registering thereof; and preventing the use of the registered name for any farm other than the one registered.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Owner of farm may register name of same. Any farm

owner in this State may, upon the payment of one dollar to the Commissioner of Agriculture, have the name of his farm duly recorded in a register which said Commissioner shall keep for such purpose, and shall be furnished by said Commissioner a certificate, issued under seal, and setting forth the name and location of the farm and the name of the owner; Provided, that when any name shall have been recorded as the name of any farm, such name shall not be recorded as the name of any other farm in the State, except by prefixing or adding distinguishing words thereto.

The Committee on Agriculture, which committee had said bill under consideration, offered the following amendment to said bill, viz.:

Amend House Bill No. 125 by striking out the words "except by prefixing or adding distinguishing words thereto" where said words occur at the conclusion of said bill.

Said amendment was agreed to.

Mr. Howard offered the following amendment to said bill, viz.:

Amend House Bill No. 125 by adding thereto the following:

"§ 2. The funds secured under this act shall be applied by the Commissioner of Agriculture in the furtherance of and in maintaining the Agricultural Department of the State."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. H. Hager	W. B. O'Bannon
L. D. Baldauf	J. S. Hall	T. P. Oliver
J. H. Ballard	A. L. Hamilton	W. F. Paris
W. T. Beckham	L. B. Hamilton	Ote Piper
B. C. Beckmann	E. C. Hardin	Richard Radcliffe
H. V. Bell	B. H. Harris	H. C. Rice
Leroy Bonta	David J. Howard	Lewis Ryans
W. P. Bowman	Joe Huddleston	Avery Sartin
J. L. Bradford	Chas. L. Hunter	Joe Schneider
O. V. Brown	J. W. Johnson	Claude B. Smith
T. L. Caudel	Leslie P. Jones	T. J. Smith
H. C. Chappell	Griffin Kelly	John W. Swope
Everett Cobb	W. F. Klair	Claude M. Thomas
John Cook	H. A. Knollmann	Elmore Thomas
Fred Cornelius	S. D. Laughlin	John B. Thomas
W. P. Cropper	Joseph Lazarus	Geo. F. Thompson
James S. Cruse	J. E. Lilly	S. G. Thornberry
J. C. Davis	Clarence Miller	J. Wood Vance
A. A. Demunbrun	Claude D. Minor	F. C. VanHoose
H. L. Dixon	S. H. Moore	G. Frank Walthal
W. G. Dycus	John T. Murphy	T. R. Welch
F. A. Easterling	Ryland C. Musick	W. N. Winn
J. M. Elliston	A. J. McCandless	E. G. Young
I. H. Gabbard	W. P. McDonogh	
Lark Garnett	S. Lee McGohan	

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Resolved that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 124. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement or dissolution of temporary injunctions by a judge of the Court of Appeals.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 296 and section 297 of the Kentucky Code be, and the same are, hereby repealed, and in lieu thereof that said sections be re-enacted so as to read as follows:

Section 296. 1. If the circuit court or the judge thereof, upon the application of a plaintiff for a temporary injunction as provided for in chapter 1 of this article, refuse to grant such injunction; or after such injunction has been granted, if the same has been dissolved, the plaintiff may within twenty days apply to a judge of the Court of Appeals for an order directing the circuit court or the judge thereof to issue such temporary injunction as may be proper, or to reinstate or modify any such injunction as may have been dissolved by such court or judge; and upon motion of the plaintiff the circuit court or the judge thereof in the order refusing or dissolving such injunction shall express in such order that the plaintiff has desired to make such application to a judge of the Court of Appeals; and shall provide that any order of dissolution shall take effect in a reasonable time thereafter, not exceeding twenty days.

2. When such injunction has been granted by an interlocutory order or decree, the party enjoined may within twenty days from the entry of the order or decree, apply to a judge of the Court of Appeals for a dissolution or modification of the injunction.

Section 297. Applications to Appellate Judge as to Temporary Injunction.—If a party to an injunction suit desires to make application to a judge of the Court of Appeals for an order for the issue of a temporary injunction or for the reinstatement or dissolution of such injunction as provided in section 296, such party shall give reasonable notice in writing to the party affected thereby of the time and place of such application, and of the motion to be made at such time, and of the judge to whom it is to be made.

Upon the presentation to such judge of the Court of Appeals of a copy of the record, including the evidence read or offered to be read, and a copy of the notice of such application, the judge of the Court of Appeals shall consider such record and shall make such order as he shall deem proper in the case, either directing that such temporary injunction shall issue or refusing the same or directing a dissolution or modification thereof, as he shall decide. Such order shall be returned by the Appellate Judge to the clerk's office of the circuit court, and when filed in such clerk's office shall have the same effect as an order made by such circuit court.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	H. V. Bell	O. V. Brown
J. H. Ballard	Leroy Bonta	T. L. Caudel
W. T. Beckham	W. P. Bowman	Everett Cobb
B. C. Beckmann	J. L. Bradford	John Cook

Fred Cornelius	J. W. Johnson	H. C. Rice
W. P. Cropper	Leslie P. Jones	Avery Sartin
James S. Cruse	Griffin Kelly	Joe Schneider
J. C. Davis	W. F. Klair	Claude B. Smith
A. A. Demunbrun	H. A. Knollmann	R. T. Smith
Harry Dill	S. D. Laughlin	T. J. Smith
H. L. Dixon	Joseph Lazarus	Thomas Spurrier
W. G. Dycus	J. E. Lilly	John W. Swope
F. A. Easterling	Clarence Miller	Claude M. Thomas
J. M. Elliston	Claude D. Minor	Elmore Thomas
I. H. Gabbard	John T. Murphy	John B. Thomas
Lark Garnett	Ryland C. Musick	Geo. F. Thompson
W. H. Hager	A. J. McCandless	S. G. Thornberry
J. S. Hall	W. P. McDonogh	J. Wood Vance
A. L. Hamilton	H. C. McGehee	F. C. VanHoose
L. B. Hamilton	S. Lee McGohan	Geo. C. Waggoner
E. C. Hardin	H. C. McLellen	G. Frank Walthal
B. H. Harris	W. B. O'Bannon	T. R. Welch
David J. Howard	T. P. Oliver	W. N. Winn
Joe Huddleston	W. F. Paris	E. G. Young
A. R. Hudson	Ote Piper	
Chas. L. Hunter	Richard Radcliffe	

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Resolved that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 63. An act to amend and re-enact sections one and three of an act entitled an act to provide revenue by taxation for the improvement and construction of public roads and bridges of the county, approved April 25, 1917, by providing that said act shall apply to magisterial districts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That sections one and three of an act entitled: "An act to provide revenue by taxation for the improvement and construction of public roads and bridges of the county," approved April 25, 1917, be, and it is, hereby amended by providing that said act shall apply to magisterial districts, by adding in line two of section one, after the word "voters," the words "of the county or any magisterial district," and by adding in line eight, section one, after the word "county," the words "or magisterial district;" by adding in line fourteen, section one, after the word "year," the words "for the county or magisterial district (as the case may be);" by adding on line four, section three, after the word "county," the words "or magisterial district (as the case may be)," and and by adding in line seven, section three, after the word "county," the words "or magisterial district," so that when so amended the said section shall read as follows:

Section 1. The fiscal court of any county in the State may submit to the voters of the county or any magisterial district at a special election to be held for that purpose the question of voting a tax of any sum not exceeding 20 cents on the hundred dollars on all property subject by law to local taxation, under section 157a of the Constitution, for the improvement or construction of the public roads and bridges of the county or magisterial district, either or both, as the fiscal court may direct. The order of the fiscal court calling the election shall specify the amount of tax to be levied each year, and the number of years for which the tax may be imposed, not exceeding ten years, and shall also provide that no amount of money in excess of the amount that can be raised by the levy in any one year for the county or magisterial district (as the case may be) shall be expended in that year. It may also borrow money in any year in advance of the collection of the tax for that year, not exceeding eighty per cent of

the estimated tax, and issue bonds therefor, the amount of the tax to be estimated according to the assessment and collection of the preceding year, but any money so borrowed shall be paid out of the money raised from the tax in the year in which the money is borrowed. So that all indebtedness created in any one year shall be paid out of the fund raised in that year.

Section 3. The question to be submitted to the people shall be: "Are you for a property tax of cents on each one hundred dollars' worth of property in the county or magisterial district (as the case may be) to be levied each year for years, for the purpose of improving or constructing, either or both, the roads and bridges of the county or magisterial district?" The rate of taxation and the number of years for which the tax is to be levied to be inserted in respective blank spaces, and two small squares to be placed opposite the question and on the right of same, one for voters for and one for voters against the measure, designated respectively by the words "Yes," and "No." And if a majority of the voters voting upon this proposition are in favor of it, then the fiscal court shall, as soon as the result has been ascertained and certified, make provisions for the road and bridge work contemplated.

Mr. Radcliffe moved that said House Bill No. 63 be re-committed to the Committee on Public Roads and Highways.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 107. An act providing compensation for men warned out and required to work upon the public roads of this Commonwealth and fixing the powers and duties of the fiscal courts, county judges and overseers relative thereto and pre-

scribing the penalties for presenting fraudulent claims hereunder and providing a tax to meet such expenses and amending and re-enacting section 4356-o, Kentucky Statutes, Carroll's 1915 edition.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4356-o, Kentucky Statutes, Carroll's 1915 edition, be, and the same is, hereby amended and re-enacted so that same when so amended and re-enacted shall read as follows:

§ 4356-o 1. Fiscal Court May Require Males to Work—Compensation.—The fiscal court of any county may require all able-bodied male citizens of the county over eighteen and under fifty-five years of age, except licensed ministers of the Gospel and citizens of an incorporated town or city, to provide themselves with the necessary tools and implements and to work on the public roads of the county in the overseer's district in which persons reside, for such number of days as the fiscal court may deem necessary to the best interests of such roads, not to exceed thirty days in any one year, and a day's work on such road for such hands shall be eight hours, exclusive of the time consumed in going to and from such work. The fiscal court shall pay to such hands so ordered to work and who comply with such order without legal redress, a reasonable compensation therefor, not less than \$1.00 per day and not more than \$2.00 per day and to the overseers of such roads as now provided for by law a reasonable compensation not to exceed \$50.00 per annum, provided, however, the price paid to hands and overseers throughout the county shall be uniform.

§ 4356-o 2. Compensation, How Allowed—Punishment for Fraudulently Procuring.—The fiscal court shall be the

judge of the reasonableness of all claims presented for labor and supplies and shall allow all properly proven claims at its meeting next after the labor was performed. All claims hereunder shall be subscribed and sworn to by the claimant and approved by the overseer and shall be accompanied by such other proof as the fiscal court may require. The fiscal court shall direct the sheriff to settle all such claims in the payment of taxes when any taxes are due by the person to whom allowed and if no taxes are due or the claim amounts to more than the taxes due, the sheriff shall pay the claimant therefor the amount thereof in cash, less the taxes due, if any, and said claims shall be non-negotiable. The sheriff shall take a receipt from the payee in the claim for the money paid by him on said claim, if any, in excess of taxes and the said claim, together with the receipt taken shall be his voucher in his settlement. Any person who shall make out or present for allowance or payment any fraudulent claim, herein provided for, with the intent to defraud the county or who by so doing does defraud the county of money or thing of value, or any sheriff who shall discount any claim herein provided for, except as herein provided, shall be guilty of a misdemeanor and upon conviction therefor shall be fined in any sum not less than twenty nor more than one hundred dollars for each offense or may be imprisoned in the county jail not less than ten nor more than sixty days, or both so fined and imprisoned.

§ 4356-o 3. Bond of Overseer—Failure to Work—Penalty.—All persons hereafter appointed or acting in the capacity of road overseer under the provisions of this act or otherwise, shall, before entering upon the discharge of his duties, execute a bond to be approved by the county judge for the faithful performance of his duties in such sum as may be prescribed by the fiscal court not less, however, than \$500.00. Any overseer who shall willfully or carelessly fail or refuse to comply with his duties as prescribed by law shall be liable upon his bond therefor whether proceeded against civilly or

criminally. Any person assigned to work on a public road who shall, without good cause, fail to appear with the proper implements and do good work thereon after having been notified for two days by the overseer or proper person having supervision of the road or by such person authorized by him in writing or by law to execute such notice, shall on trial before a justice of the peace or the county judge be fined upon his conviction therefor, not less than three and not more than ten dollars for each day he so fails or refuses to work, provided, however, that any person ordered to work may furnish an able-bodied substitute to work in his place. All such fines shall be used for road purposes on the roads in the overseer's district wherein such person so fined resides.

§ 4356-o 4. Maintenance Tax.—For the purpose of carrying the provisions of this act into effect the fiscal court of a county maintaining public roads under the provisions hereof and for building and maintaining cross roads, dirt roads and other roads not otherwise provided for, may levy a road maintenance tax in an amount not exceeding a three dollar poll and thirty cents on the one hundred dollars of the assessed valuation of said county exclusive of incorporated cities or towns therein, which shall be collected as other taxes are collected but which fund shall be kept separate and used for no other purpose and shall be annually apportioned to each of the several magisterial districts in such county according to the needs thereof.

This act shall not be construed as repealing or modifying any section or part of the road laws of the State except section 4356-o, Carroll's edition, 1915, Kentucky Statutes.

Mr. Minor offered the following amendment to said bill, viz.:

Amend House Bill No. 107 as follows:

Strike out the following words in line five of section 4356-o 4 on page four of printed bill as follows:

“A three dollar poll and.”

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and refused.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, vz.:

Those who voted in the affirmative were—

Ed. L. Allen	David J. Howard	H. C. Rice
H. C. Chappell	W. F. Klair	T. J. Smith
J. C. Davis	John T. Murphy	J. T. Thornton
J. M. Elliston	Ryland C. Musick	Geo. C. Waggoner
L. L. Embry	Richard Radcliffe	—14

Those who voted in the negative were—

L. D. Baldauf	W. P. Cropper	Griffin Kelly
J. H. Ballard	James S. Cruse	H. A. Knollmann
Robert Bays	A. A. Demunbrun	S. D. Laughlin
W. T. Beckham	W. G. Dycus	Joseph Lazarus
H. V. Bell	F. A. Easterling	M. E. Lee
Leroy Bonta	I. H. Gabbard	J. E. Lilly
W. P. Bowman	W. H. Hager	Claude D. Minor
J. L. Bradford	J. S. Hall	S. H. Moore
O. V. Brown	L. B. Hamilton	A. J. McCandless
T. L. Caudel	E. C. Hardin	H. C. McGehee
Everett Cobb	B. H. Harris	S. Lee McGohan
John Cook	Joe Huddleston	H. C. McLellen
A. S. Cooper	A. R. Hudson	W. B. O'Bannon
Fred Cornelius	J. W. Johnson	A. J. Oliver

T. P. Oliver	R. T. Smith	J. Wood Vance
W. F. Paris	Thomas Spurrier	F. C. VanHoose
Lilburn Phelps	Ben Street	G. Frank Walthal
Ote Piper	John W. Swope	T. R. Welch
Lewis Ryans	Claude M. Thomas	W. N. Winn
Avery Sartin	John B. Thomas	E. G. Young
Joe Schneider	Geo. F. Thompson	
Claude B. Smith	S. G. Thornberry	

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And so said bill was refused.

Mr. Radcliffe moved that the rules be suspended and that House Bill No. 222 be taken from the orders of the day and placed upon its passage.

Said motion was disagreed to.

Mr. Murphy moved that this House do now adjourn.

The yeas and nays being required on said motion by Messrs Rice and Waggoner, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	Chas. L. Hunter	Lewis Ryans
J. L. Bradford	W. F. Klair	Avery Sartin
H. C. Chappell	M. E. Lee	Ben Street
Everett Cobb	Clarence Miller	Claude M. Thomas
James S. Cruse	Claude D. Minor	John B. Thomas
F. A. Easterling	John T. Murpley	J. T. Thornton
J. M. Elliston	W. P. McDonogh	J. Wood Vance
L. L. Embry	S. Lee McGohan	F. C. VanHoose
J. S. Hall	H. C. McLellen	T. R. Welch
Joe Huddleston	A. J. Oliver	

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Those who voted in the negative were—

Ed. L. Allen	W. H. Hager	Richard Radcliffe
B. C. Beckmann	L. B. Hamilton	H. C. Rice
H. V. Bell	David J. Howard	Joe Schneider
W. P. Bowman	A. R. Hudson	Claude B. Smith
T. L. Caudel	J. W. Johnson	R. T. Smith
John Cook	Leslie P. Jones	T. J. Smith
A. S. Cooper	H. A. Knollmann	John W. Swope
Fred Cornelius	S. D. Laughlin	Geo. F. Thompson
W. P. Cropper	S. H. Moore	S. G. Thornberry
A. A. Demunbrun	A. J. McCandless	Geo. C. Waggoner
Harry Dill	H. C. McGehee	G. Frank Walthal
H. L. Dixon	W. B. O'Bannon	W. N. Winn
W. G. Dycus	T. P. Oliver	E. G. Young
Lark Garnett	Lilburn Phelps	
M. E. Gilbert	Ote Piper	

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And so said motion was disagreed to.

And then the House at one-thirty p. m. adjourned.

THURSDAY, FEBRUARY 7, 1918.

The House was opened with prayer by the Rev. Roger T. Nooe, pastor of the Christian Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	W. T. Beckham	R. J. Cain
Chas. Ashby	B. C. Beckmann	T. L. Caudel
B. S. Bailey	H. V. Bell	H. C. Chappell
L. D. Baldauf	W. P. Bowman	Everett Cobb
J. H. Ballard	J. L. Bradford	John Cook
Robert Bays	O. V. Brown	A. S. Cooper

Fred Cornelius	W. F. Klair	H. C. Rice
W. P. Cropper	H. A. Knollman	Lewis Ryans
James S. Cruse	S. D. Laughlin	Avery Sartin
J. C. Davis	Joseph Lazarus	Joe Schneider
A. A. Demunbrun	M. E. Lee	Claude B. Smith
Harry Dill	J. E. Lilly	R. T. Smith
H. L. Dixon	Harry J. Meyers	T. J. Smith
W. G. Dycus	Clarence Miller	Thomas Spurrier
F. A. Easterling	Claude D. Minor	John W. Swope
J. M. Elliston	S. H. Moore	Claude M. Thomas
I. H. Gabbard	John T. Murphy	Elmore Thomas
Lark Garnett	Ryland C. Musick	John B. Thomas
W. H. Hager	A. J. McCandless	Geo. F. Thompson
J. S. Hall	W. P. McDonogh	J. T. Thornton
A. L. Hamilton	H. C. McGehee	S. G. Thornberry
E. C. Hardin	S. Lee McGohan	W. F. Trusty
B. H. Harris	H. C. McLellen	J. Wood Vance
David J. Howard	W. B. O'Bannon	F. C. VanHoose
Joe Huddleston	T. P. Oliver	Geo. C. Waggoner
A. R. Hudson	W. F. Paris	G. Frank Walthal
Chas. L. Hunter	Lilburn Phelps	W. N. Winn
J. W. Johnson	Luther Pieratt	E. G. Young
Leslie P. Jones	Ote Piper	
Griffin Kelly	Richard Radcliffe	

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Upon motion of Mr. Thornton the reading of the Journal of yesterday was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Musick:

H. B. 319. An act to create the Thirty-seventh Judicial District of Kentucky, fixing the time of holding the courts thereof, providing for the appointment of a circuit judge and Commonwealth's Attorney, and changing the Twenty-

third, Twenty-seventh, Twenty-eighth and Thirty-third Judicial District, so as to provide for said Thirty-seventh Judicial District, and changing and fixing the time for holding courts in each of said districts.

To the Committee on Judicial Redistricting.

By Mr. Demunbrum:

H. B. 320. An act conferring authority upon State Tax Commission to participate in and be made a party to all proceedings and suits for the appraisement of estates and the collection of inheritance taxes thereon and requiring certain notices and information to be furnished it by the judges and clerks of the county courts; and providing that it shall be represented by county attorneys or by special counsel to be employed by it; and directing that all suits in foreign jurisdictions for the collection of said tax shall be brought by it; and empowering it to issue certificates authorizing domestic corporations to transfer stocks owned by non-resident decedents not subject to tax.

To the Committee on Revenue and Taxation.

By Mr. Oliver, T. P.

H. B. 321. An act authorizing fraternal benefit societies to issue certificates for the payment of sick, death, or annuity benefits upon the lives of children.

To the Committee on Insurance, Life and Accident.

By same:

H. B. 322. An act to amend section 1820 of Kentucky Statutes, Carroll's Edition, providing for certain distances between ferries, establishment of same in towns, and penalty for violation of same, and re-enacting the same.

To the Committee on Kentucky Statutes.

By Mr. Winn:

H. B. 323. An act to authorize the Board of Prison Commissioners to appoint a superintendent of state reformatory farms, at a salary of \$1,500.00 per annum, who shall be a bonded officer and submit monthly and yearly a record of all transactions, approved by the Warden of the State Reformatory, for the consideration of the Board; the large increases in values and the volume of business in this department makes it advisable to have a bonded officer in charge of all receipts and expenditures.

To the Committee on State Prisons and Houses of Reform.

By Mr. Allen:

H. B. 324. An act relating to sale of property and assets of private corporations.

To the Committee on Corporate Institutions.

By Mr. Klair:

H. B. 325. An act to repeal and re-enact subsection c. of section 29 of chapter 19 of the Acts of 1916, entitled an act creating the State Insurance Board, to supervise the operation of fire insurance rate making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance

rates; prescribing the powers of fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyds plan, and penalty for violation thereof, and repealing existing statutes.

To the Committee on Insurance, Fire and Marine.

By Mr. Lee:

H. B. 326. An act providing for the settlement of county superintendents with the county board of education and provisions concerning same.

To the Committee on Education No. 2.

By Mr. Radcliffe:

H. B. 327. An act to establish an athletic board of control and prescribing the duties and power of same and to license and regulate the giving or holding of sparring contests or exhibitions in this State, providing for the payment of a tax and license, and prohibiting the sale of intoxicating liquors on the premises where any boxing exhibition is held, and prohibiting any betting or gaming at any such contest and providing for penalty for violation of this act.

To the Committee on Kentucky Statutes.

By Mr. McDonogh:

H. B. 328. An act to amend section 2055 of the Kentucky Statutes, relating to county health boards, in respect to counties containing cities of the first class.

To the Committee on Municipalities.

By same:

H. B. 329. An act to amend section 4850, Kentucky Statutes, relating to wills.

To the Committee on Kentucky Statutes.

By same:

H. B. 330. An act creating a State Board of Architectural Examiners, providing for the examination and registration of architects, defining their qualifications, regulating the practice of architecture in the State of Kentucky, and fixing penalties for violation thereof.

To the Committee on Municipalities.

By same:

H. B. 331. An act to amend section 561 of the Kentucky Statutes, Carrol's edition of 1915, providing for the termination of existence of corporations and how the same may be effected.

To the Committee on Kentucky Statutes.

By same:

H. B. 332. An act to provide adequate punishment for unlawfully opening or tampering with a cash register or a fare box or for stealing or attempting to steal therefrom any money, notes, securities or other thing of value.

To the Committee on Criminal Law.

By same:

H. B. 333. An act to amend section 15 of an act entitled an act concerning laws, and entitled laws, which was approved March 23, 1893, and which now constitutes section 2432 of the Kentucky Statutes, Carroll's edition of 1915.

To the Committee on Kentucky Statutes.

By same:

H. B. 334. An act to amend section 1884 of Carroll's 1915 edition of the Kentucky Statutes.

To the Committee on Printing.

By Mr. Meyers:

H. B. 335. An act to create a State Civil Service Board, to regulate and improve the civil service of the police and fire departments of the cities of the first, second and third classes, to provide for open and competitive examinations, to provide for hearing of appeals from decisions and orders of all local boards, to provide certain procedure and manner of appointing, suspending, dismissing and discharging public servants and employes, to provide for public trials for said public servants and employes on all charges preferred against them.

To the Committee on Municipalities.

By Mr. Dycus:

H. B. 336. An act to further regulate banks and trust companies doing business in this State; requiring the execution of bonds by the officers of the bank, providing for the

removal of certain directors, and amending section 583 of Kentucky Statutes, Carroll's edition of 1915.

To the Committee on Banks and Banking.

By Mr. Murphy:

H. B. 337. An act to repeal and re-enact subsections 3 and 5 of section 112-15, and also sections 117 and 117a, Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Kentucky Statutes.

By Mr. Rice:

H. B. 338. An act regulating the employment of flagmen and yardmen by common carriers in the Commonwealth and providing a penalty for violating same.

To the Committee on Railroads.

By Mr. Hunter:

H. B. 339. An act to prevent fraudulent advertising in the State of Kentucky.

To the Committee on Kentucky Statutes.

By Mr. McCandless:

H. B. 340. An act relating to public labor and to prevent lockouts, promote industrial peace and to prevent interruption in the production of any article or thing necessary for the comfort and well-being of the people of the State of Kentucky.

To the Committee on Immigration and Labor.

By Mr. Spurrier :

H. B. 341. An act making it unlawful for trespassers to interfere with railroad trains while in operation and prescribing a penalty therefor.

To the Committee on Railroads.

By Mr. McDonogh :

H. B. 342. An act providing for the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand inhabitants or more, and repealing all laws, or parts of laws, in conflict herewith.

To the Committee on Municipalities.

Mr. Klair indicated the hour for the Special Order, namely, eleven o'clock a. m.

Mr. A. L. Hamilton moved that the House resolve itself into a Committee of the Whole on the State of the Commonwealth, for the purpose of hearing Professor McVey, President of the University of Kentucky, discuss the needs of said institution, and, incidentally, House Bill No. 168.

Said motion was agreed to.

The Speaker designated Mr. Leslie P. Jones to preside as Chairman of the Committee of the Whole.

Mr. Speaker Crowe vacated the Chair.

After a time Mr. Lee moved that the Committee of the Whole rise and report.

Said motion was agreed to.

Thereupon Mr. Speaker Crowe resumed the Chair.

Mr. Leslie J. Jones, Chairman of the Committee of the Whole, reported that Professor McVey, addressed said committee and also reported progress.

The House was then in order.

The House then took up for consideration the special order of the day, namely, a bill entitled:

H. B. 168. An act to amend and re-enact section 1 of an act entitled an act relating to revenue and taxation, providing an annual tax upon property subject to taxation in this State, fixing the rate thereof, distributing said tax to various departments and State institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations, designating what classes of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignment of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording certain mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing penalties and repealing existing statutes, and approved at a special session of the State Legislature, 1917.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act of the General Assembly of the Com-

monwealth of Kentucky, approved May 2, 1917, being chapter 11 of Special Session Laws, 1917, which reads as follows:

Section 1. Annual Tax—How Divided.—An annual tax of forty (40) cents upon each one hundred dollars (\$100.00) of value of all property directed to be assessed for taxation, as hereinafter provided, shall be paid by the owner, person or corporation assessed. Of the aggregate amount of tax realized by all assessments, $21\frac{1}{2}$ fifty-fifths shall be for the ordinary expenses of the government, 26 fifty-fifths for the support of the common schools, 2 fifty-fifths, for the use of the sinking fund, $\frac{1}{2}$ of one fifty-fifth for the University of Kentucky, and 5 fifty-fifths for the State road fund. The tax herein provided for the University of Kentucky shall be in lieu of the tax provided by an act entitled: "An act for the benefit of the Agricultural and Mechanical College," approved April 29, 1880. The tax herein provided for the State road fund shall be in lieu of the tax provided by an act entitled: "An act to create and establish a system of public State roads and to provide for the construction and maintenance thereof," approved March 24, 1914, is hereby amended and re-enacted so that it shall read as follows:

Section 1. Annual Tax—How Divided.—An annual tax of forty (40) cents upon each one hundred dollars (\$100.00) of value of all property directed to be assessed for taxation, as herein provided, shall be paid by the owner, person or corporation assessed. Of the aggregate amount of tax realized by all assessments, fifteen cents shall be for the use of the ordinary expenses of the government, eighteen cents for the support of the common schools, one cent for use of the sinking fund, one and three-quarter cents for the support and erection of buildings for the University of Kentucky at Lexington, five-eighths of one cent for the support and erection of buildings for the Eastern State Normal School located at Richmond, five-eighths of one cent for the support and erection of buildings for the Western State Normal School located at Bowling Green, and three cents for the State road fund.

The tax herein provided for the University of Kentucky is in lieu of the tax provided by an act entitled: "An act for the benefit of the Agricultural and Mechanical College," approved April 29, 1880, and the annual appropriation now made for the University of Kentucky under the provisions of section 4535b, Kentucky Statutes, Edition 1915; the annual appropriation now made for the University of Kentucky under the provisions of subsection 4 of section 4636b, Kentucky Statutes, Edition 1915; the annual appropriation now made for the University of Kentucky referred to in subsection 30b of section 4636c, Kentucky Statutes, edition 1915, as the \$15,000 annual appropriation made by the act of 1904; the annual appropriation now made for the University of Kentucky under the provisions of subsection 5 of section 4636c, Kentucky Statutes, Edition 1915, and all other annual appropriations made by any act for the support of the University of Kentucky, except the appropriation to the Agricultural Experiment Station contained in section 4636b, Kentucky Statutes, Edition 1915, and the appropriation made for the benefit of agricultural extension work contained in chapter 20 of the Acts of 1916. The tax herein provided for the two normal schools shall be in lieu of the appropriations made for the support of said schools in article 17, chapter 113 of the Kentucky Statutes, Edition 1915. The tax herein provided for the University of Kentucky and the normal schools shall be paid monthly to the treasurers of these institutions in the amount set forth in this section. The tax herein provided for the State road fund shall be in lieu of the tax provided by an act entitled: "An act to create and establish a system of public State roads and to provide for the construction and maintenance thereof."

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

The Committee on Revenue and Taxation, which com-

mittee had said bill under consideration, offered the following amendment thereto by way of substitute therefor, viz.:

Substitute for House Bill No. 168. An act to amend and re-enact section 1 of an act entitled: An act relating to revenue and taxation, providing an annual tax upon property subject to taxation in this State, fixing the rate thereof, distributing said tax to various departments and State institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations, designating what classess of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignment of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing and repealing existing statutes, and approved at a special session of the State Legislature, 1917; and providing that the revenues accruing to the University of Kentucky and the State Normal Schools shall be in lieu of the revenue provided and the appropriations made in section 1 of section 4535b, section 4636b and subsection 5 of section 4636c of the Kentucky Statutes, Edition of 1915, and of chapter 120, Acts of 1904, and subsections 29, 35 and 36 of section 4535e of the Kentucky Statutes, Edition 1915.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That an act of the General Assembly of the Commonwealth of Kentucky, approved May 2, 1917, being chapter 11 of Special Session Laws 1917, which reads as follows:

Section 1. Annual Taxes—How Divided.—An annual tax of forty (40) cents upon each one hundred dollars (\$100.00) of value of all property directed to be assessed for taxation, as hereinafter provided, shall be paid by the owner, person or corporation assessed. Of the aggregate of tax realized by all assessments, 21½ fifty-fifths shall be for the ordinary expenses of the government, 26 fifty-fifths for the support of the common schools, 2 fifty-fifths for the use of the sinking fund, one-half of one fifty-fifth for the University of Kentucky, and 5 fifty-fifths for the State road fund. The tax herein provided for the University of Kentucky shall be in lieu of the tax provided by an act entitled: "An act for the benefit of the Agricultural and Mechanical College," approved April 29, 1880. The tax herein provided for the State road fund shall be in lieu of the tax provided by an act entitled: "An act to create and establish a system of public State roads and to provide for the construction and maintenance thereof," approved March 24, 1914, is hereby amended and re-enacted so that it shall read as follows:

Section 1. Annual Taxes—How Divided.—An annual tax of forty (40) cents upon each one hundred dollars (\$100.00) of value of all property directed to be assessed for taxation as herein provided, shall be paid by the owner, person or corporation assessed. Of the aggregate amount of tax realized by all assessments, fifteen cents shall be for the use of the ordinary expenses of the government, eighteen cents for the support of the common schools, one cent for the use of the sinking fund, one and three-quarter cents for the support and erection of buildings for the University of Kentucky at Lexington, five-eighths of one cent for the support and erection of buildings for the Eastern State Normal School located at Richmond, five-eighths of one cent for the support and erection of buildings for the Western State Normal School located at Bowling Green, and three cents for the State road fund. The tax herein provided for the University of Kentucky is in lieu of the tax provided by an act entitled: "An

act for the benefit of the Agricultural and Mechanical College," approved April 29, 1880, and the annual appropriation now made for the University of Kentucky under the provisions of section 4535b, Kentucky Statutes, edition 1915; the annual appropriation now made for the University of Kentucky under the provisions of subsection 4 of section 4636b, Kentucky Statutes, edition 1915; the annual appropriation now made for the University of Kentucky by the act which became a law March 26, 1904, Acts 1904, chapter 120; the annual appropriation now made for the University of Kentucky under the provisions of subsection 5 of section 4636c, Kentucky Statutes, edition 1915. The tax herein provided for the two normal schools shall be in lieu of the appropriations made for the support of said schools in subsections 29, 35 and 36 of section 4535a and in section 4535b of the Kentucky Statutes, edition 1915. The tax herein provided for the University of Kentucky and the normal schools shall be paid monthly, when and as collected, to the treasurers of these institutions in the amount set forth in this section, and shall be used by the University of Kentucky and the normal schools for their maintenance and support, and when sufficient sums shall have accumulated in the treasuries thereof, it may be used for the erection of buildings and the purchase of land and equipment. The tax herein provided for the State road fund shall be in lieu of the tax provided by an act entitled: "An act to create and establish a system of public State roads and to provide for the construction and maintenance thereof."

Section 2. All laws and parts of laws in conflict with this act are hereby repealed.

Mr. Phelps offered the following amendment to said substitute, viz.:

Amend substitute for House Bill No. 168 by striking out all after the word "follows," in line thirty, and the succeeding lines down to and including the word "fund," in line nine, on

page two of substitute and by substituting therefor the following:

Section 1. Annual Taxes—How Divided. An annual tax of forty (40) cents upon each one hundred dollars (\$100.00) of value of all property directed to be assessed for taxation, as herein provided, shall be paid by the owner, person or corporation assessed. Of the aggregate amount of tax realized by all assessments, fourteen cents shall be for the use of the ordinary expenses of the government, nineteen cents for the support of the common schools, one cent for use of the sinking fund, one and one-half cents for the support and erection of buildings for the University of Kentucky at Lexington, one-half of one cent for the support and erection of buildings for the Eastern State Normal School located at Richmond, one-half of one cent for the support and erection of buildings for the Western State Normal School, located at Bowling Green, and three and one-half cents for the State road fund.

The yeas and nays being required on the adoption of said amendment by Messrs. Phelps and L. B. Hamilton, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	F. A. Easterling	W. F. Paris
W. P. Bowman	I. H. Gabbard	Lilburn Phelps
J. L. Bradford	M. E. Gilbert	Luther Pieratt
R. J. Cain	W. H. Hager	Ote Piper
Everett Cobb	J. S. Hall	Avery Sartin
John Cook	L. B. Hamilton	R. T. Smith
A. S. Cooper	E. C. Hardin	T. J. Smith
Fred Cornelius	B. H. Harris	John W. Swope
J. C. Davis	Joe Huddleston	Claude M. Thomas
A. A. Demunbrun	J. W. Johnson	J. T. Thornton
H. L. Dixon	S. H. Moore	S. G. Thornberry
W. G. Dycus	A. J. McCandless	G. Frank Walthal

Those who voted in the negative were—

Ed. L. Allen	Chas. L. Hunter	A. J. Oliver
Chas. Ashby	Leslie P. Jones	T. P. Oliver
L. D. Baldauf	Griffin Kelly	Richard Radcliffe
J. H. Ballard	W. F. Klair	H. C. Rice
A. L. Baldwin	H. A. Knollmann	Lewis Ryans
W. T. Beckham	S. D. Laughlin	Joe Schneider
B. C. Beckmann	Joseph Lazarus	Claude B. Smith
H. V. Bell	J. E. Lilly	Thomas Spurrier
Leroy Bonta .	Harry J. Meyers	Elmore Thomas
H. C. Chappell	Clarence Miller	John B. Thomas
W. P. Cropper	Claude D. Minor	W. F. Trusty
James S. Cruse	John T. Murphy	J. Wood Vance
Harry Dill	Ryland C. Musick	F. C. VanHoose
J. M. Elliston	W. P. McDonogh	T. R. Welch
Lark Garnett	H. C. McGehee	W. N. Winn
A. L. Hamilton	S. Lee McGohan	E. G. Young
David J. Howard	H. C. McLellen	
A. R. Hudson	W. B. O'Bannon	

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And so said amendment was disagreed to.

Mr. Sartin offered the following amendment to said substitute, viz.:

Amend substitute to House Bill No. 168 as follows:

Amend section one by striking out the word "eighteen," in line number thirty-nine and inserting in lieu thereof the word "nineteen." Also amend same section by striking out the words "one and three-quarter cents," in lines numbers forty-one and forty-two, and inserting in lieu thereof the words "one cent." Also, amend same section by striking out, in line number forty-two, the words "five-eighths" and inserting in lieu thereof the words "one-half." Also, amend same section by striking out in line number forty-four the words

“five-eighths” and inserting in lieu thereof the words “one-half.”

Mr. Musick offered the following amendment to the said amendment offered by Mr. Sartin to said substitute, viz.:

Amend the amendment by striking out the word “eighteen,” in line seven, section one, and substituting the word “eighteen and one-half” and by striking out the word “fifteen,” in line nine, section one, and adding the words “fourteen and one-half.”

Said amendment to the amendment was disagreed to.

Said amendment offered by Mr. Sartin was disagreed to.

Mr. Musick offered the following amendment to said substitute, viz.:

Amend substitute for House Bill No. 168 by striking out the word “fifteen,” in line seven, on page two, section one, and by substituting therefor the word “fourteen,” and by striking out, in line nine, section one, page two, the word “eighteen” and substituting therefor the word “nineteen.”

Said amendment was disagreed to.

Mr. A. L. Hamilton offered the following amendment to said substitute, viz.:

To amend substitute for House Bill No. 168, being an act to amend and re-enact section 1 of an act entitled “An act relating to revenue and taxation,” by adding after the words “by all assessments,” in line seven of section one, page two, of said substitute, the following words: “Under this 40c. rate.” And inserting in line nine of page 3 of said substitute after the words “State Road Fund,” the following: “And the Auditor of Public Accounts will make distribution

of said tax in accordance with the said apportionment at the end of each month."

Said amendment was agreed to.

Mr. Spurrier moved the previous question.

Said motion was agreed to.

Mr. Murphy moved that the orders of the day be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Klair moved that the session of today be extended indefinitely.

Said motion was agreed to.

The amendment to House Bill No. 168, by way of substitute therefor, as amended, was then agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and as amended by way of substitute therefor, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby

B. S. Bailey
• L. D. Baldauf

J. H. Ballard
A. L. Baldwin

Robert Bays	L. B. Hamilton	A. J. Oliver
W. T. Beckham	E. C. Hardin	T. P. Oliver
B. C. Beckmann	B. H. Harris	W. F. Paris
H. V. Bell	David J. Howard	Ote Piper
Leroy Bonta	A. R. Hudson	Richard Radcliffe
W. P. Bowman	Chas. L. Hunter	H. C. Rice
J. L. Bradford	J. W. Johnson	Lewis Ryans
O. V. Brown	Leslie P. Jones	Joe Schneider
R. J. Cain	Griffin Kelly	Claude B. Smith
H. C. Chappell	W. F. Klair	R. T. Smith
Everett Cobb	H. A. Knollmann	Thomas Spurrier
W. P. Cropper	S. D. Laughlin	John W. Swope
James S. Cruse	Joseph Lazarus	John B. Thomas
J. C. Davis	J. E. Lilly	W. F. Trusty
A. A. Demunbrun	Clarence Miller	J. Wood Vance
Harry Dill	Claude D. Minor	F. C. VanHoose
H. L. Dixon	John T. Murphy	Geo. C. Waggoner
W. G. Dycus	Ryland C. Musick	G. Frank Walthal
J. M. Elliston	W. P. McDonogh	T. R. Welch
I. H. Gabbard	H. C. McGehee	W. N. Winn
Lark Garnett	S. Lee McGohan	E. G. Young
W. H. Hager	H. C. McLellen	
A. L. Hamilton	W. B. O'Bannon	

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Those who voted in the negative were—

T. L. Caudel	A. J. McCandless	Claude M. Thomas
John Cook	Luther Pieratt	S. G. Thornberry
Joe Huddleston	Avery Sartin	
S. H. Moore	T. J. Smith	

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Resolved that the title thereof be as indicated in said substitute.

Mr. Klair moved that the vote by which said bill was passed, as amended by way of substitute therefor, be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted a resolution as follows:

“That when the Senate adjourns on Friday, February 8th, 1918, it adjourn to meet on Wednesday, February 13th, 1918, at one-thirty o'clock p. m.”

Mr. Myers moved that this House concur in said Senate resolution.

Said motion was agreed to.

Mr. Myers moved that the vote by which the House concurred in said Senate resolution be reconsidered and that said resolution lie on the table.

Said motion was agreed to.

Mr. Murphy moved that House Bill No. 153 be taken from the orders of the day and placed upon its passage.

Said motion was disagreed to.

Mr. Myers moved that the vote by which the House refused to take House Bill No. 153 from the orders of the day and place same upon its passage be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. No. 40. An act to amend section 2514 Kentucky

Statutes, Carroll's edition 1915, entitled "Actions that must be brought within fifteen years after accrual of right."

To the Committee on Kentucky Statutes.

S. B. 45. An act changing the time for holding the sessions of circuit court in the Ninth Circuit Court District of Kentucky.

To the Committee on Circuit Courts.

S. B. 47. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement or dissolution of temporary injunctions by a judge of the Court of Appeals.

To the Committee on Judiciary.

S. B. 63. An act to amend section 1632 of the Kentucky Statutes, 1915 edition, compiled by the Hon. John D. Carroll, relating to rebinding and transcribing the books of records in counties having no official indexer.

To the Committee on Public Libraries.

Also, that they had concurred in a resolution which originated in the House of the following title, viz.:

H. Res. 8. Resolution assuring the National Government of the loyalty and sympathy of the people of this Commonwealth and pledging their united support in the prosecution of the war against autoocracy.

By the unanimous consent of the House Mr. Laughlin offered the following resolution, viz.:

H. Res. 16. Resolution inviting Mrs. Cora Wilson Stewart to address the General Assembly.

Whereas, the ability and unselfish service of Mrs. Cora Wilson Stewart, Kentucky's gifted daughter, whose views and utterances on education are accepted with profound respect by the people of every State from New York to California, and from Minnesota to Louisiana, and,

Whereas, her work has been recognized in this State, and, in order that we may be more fully informed concerning this work, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, the House and Senate concurring:

That we extend to her an invitation to address a joint session on educational legislation pending before this body on Thursday, February 14, 1918, at two-thirty p. m.

Ordered that said resolution lie on the Clerk's desk.

The committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Caudil, of the Committee on Circuit Courts:

H. B. 212. An act to repeal and re-enact section 965, Carroll's edition, Kentucky Statutes, in so far as it relates to the Twenty-ninth Judicial District of Kentucky.

By same:

H. B. 261. An act to regulate the time of holding the terms of circuit court in the Twenty-third Judicial District and the terms of such court and declaring an emergency.

By Mr. Bell, of the Committee on Education No. 1:

H. B. 256. An act to repeal and re-enact subsections 1, 3, 4, 8, 12, 14 and 26 of section 4421-A of the Kentucky

Statutes, Carroll's edition of 1915, and to repeal and re-enact section 4421-B of Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 1 of chapter 8 of the acts of the General Assembly of Kentucky of 1916, relating to the adoption, sale and distribution of school text books in the State of Kentucky, and in the cities of the first, second, third and fourth classes.

With an amendment thereto.

By same:

H. B. 199. An act repealing, amending and re-enacting section 215 of the Acts 1916, chapter 24, and repealing, amending and re-enacting section 216, chapter 24, Acts 1916, and repealing, amending and re-enacting section 217, chapter 24, Acts 1916, of the Compulsory Attendance Law.

By Mr. T. P. Oliver, of the Committee on Education No. 2:

H. B. 230. An act to amend section 104, chapter 24, Session Acts of the General Assembly 1916, relating to schools and education, so as to provide adequate pay for teachers in the common schools.

By same:

H. B. 204. An act making it unlawful for any parent or guardian within this Commonwealth to refuse to give in the name of any child within school age to the trustee of any school district.

By same:

H. B. 221. An act to repeal an act entitled an act to incorporate and establish a public school for colored people

in the town of Hawesville, and within a radius of two miles of the court house in said town, approved March 19, 1888, and all amendments thereto.

By Mr. Schneider, of the Committee on Fish and Game:

H. B. 181. An act making it lawful to take certain varieties of fish from streams forming the boundaries between this State and any other State and from certain navigable streams in this State by seine or net or by hand and providing the necessary regulations therefor and defining the powers and duties of certain officers.

With an amendment thereto.

By same.

H. B. 166. An act empowering the State Executive Agent of the Fish and Game Commission to take possession of the mussel shell beds, and sand and gravel beds, lying between the thread of the Ohio river and its northern shore, and authorizing him to lease same, and to regulate the catching of said shells and imposing penalties for violation of the provisions of this act.

By Mr. Dill, of the Committee on Immigration and Labor:

(Majority and minority reports being filed.)

H. B. 18. An act providing that eight hours shall constitute and be a day in all contracts for labor and service in the Commonwealth of Kentucky.

By Mr. Beckham, of the Committee on Interurban and City Railways:

H. B. 118. A bill providing that the platforms of all street and interurban railway cars operated in Kentucky must be completely enclosed between November 1st and March 1st of each year.

With an amendment thereto by way of substitute therefor.

By same:

H. B. 244. An act amending and enacting section 786 of the Kentucky Statutes, Carroll's Edition 1909, relating to railroad signals at crossings.

By Mr. Dycus, of the Committee on Mines and Mining:

H. B. 175. An act to amend section 1, article 3, chapter 79, of the Acts of the General Assembly of 1914, being an act entitled an act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment of two additional assistant inspectors; to fix the salary of the chief inspector and assistant inspectors of mines; and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this State, which act was approved March 23, 1914.

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 25. An act to amend an act of the General Assembly of the Commonwealth of Kentucky, approved March 12, 1912, and being section 4021a Kentucky Statutes, Carroll's edition, entitled an act limiting the time in which the enforcement of tax titles and tax liens may be effected; and to provide a limit of time in which tax liens may be enforced, and possession of, or title to, property sold for taxes may

be recovered, and in which actions for the quieting of title to lands sold for taxes and the cancellation of tax deeds may be maintained.

By same:

H. B. 40. An act to amend and re-enact section 4039 of Kentucky Statutes, Edition 1915, relating to the assessment of real estate, or other property, owned by non-residents of the State, or of the county in which such real estate, or interest therein, or other property, is located and providing a penalty for a failure to assess such property as herein provided.

By same:

H. B. 88. An act concerning the annual statements, reports, and returns of railway companies or railway corporations now required to be made and delivered to the Auditor of Public Accounts and the Railroad Commission, respectively, under certain provisions of the Kentucky Statutes (Carroll's Edition).

By same:

S. B. 57. An act to amend and re-enact subsection 10 of section 12 of chapter 1, of the Acts of the Extraordinary Session of the General Assembly of 1917, relating to the conference of the county tax assessors.

By same:

H. B. 39. An act relating to the payment of poll tax where the taxpayer assesses no property subject to taxation.

By same:

H. B. 164. An act to amend and re-enact chapter 9 of the Acts of the Extraordinary Session of the General Assembly of 1917, which act imposes a license or franchise on any person, firm, corporation, or association engaged in the production of crude petroleum in this State, and authorizing county officials to impose such tax for roads, schools and county purposes; providing methods of determining the amount of tax due and prescribing the manner of payment of State tax and imposing penalties for the violation of the act.

By same:

H. B. 138. An act to abolish the assessor's office and to provide in lieu thereof a county tax commission; prescribing the duties and qualifications of the county tax commission, and the duties of taxpayers in relation thereto.

With an amendment thereto.

By same:

H. B. 32. An act to amend and re-enact sections 3374 and 3379, Kentucky Statutes, Carroll's Edition of 1915.

By Mr. Hunter, of the Committee on Redistricting, Legislative:

S. B. 84. An act dividing the Commonwealth of Kentucky into thirty-eight Senatorial Districts.

By Mr. Brown, of the Committee on Pure Food:

H. B. 218. An act to amend subsection one of section six of chapter four of the Acts of the General Assembly of Kentucky of 1908, which chapter four is an act entitled an act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The following bills, which had been referred to the following committees, were reported by the committees with the expression of opinion that same ought not to pass, viz.:

By Mr. Caudel, of the Committee on Circuit Courts:

H. B. 27. An act enabling the circuit courts of this Commonwealth to provide for the taking of depositions before the master commissioner of the court, or before a commissioner to be appointed by the court, in any equitable action or proceeding now pending or hereafter instituted in any such court, and authorizing such commissioner to hear and determine all questions relative to the introduction and competency of the evidence and to report upon the questions of law and fact made by the pleadings or contained in the order of reference entered by the court in such action or proceeding and providing for a reasonable allowance to such commissioner for his services.

By Mr. T. P. Oliver, of the Committee on Education
No. 2:

H. B. 260. An act to amend and re-enact subsection 6 of section 4399, Kentucky Statutes, Carroll's 1915 edition.

By same:

H. B. 194. An act to provide for the teaching of elementary agriculture in the common schools of Kentucky, except in cities of the first, second, third and fourth classes, and to require teachers to be examined on said subject.

By Mr. Schneider, of the Committee on Fish and Game:

H. B. 79. An act to amend section 4 of chapter 87 of the Acts of the General Assembly of 1916, which is an act regulating trapping and for the protection of fur-bearing animals and providing penalties for violation of act and repealing all laws and parts of laws in conflict with the provisions of this act.

Mr. Meyers moved that this House do now adjourn.

Said motion was disagreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 94. An act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any premises used for such purposes.

Mr. L. P. Jones moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 8, 1918.

The House was opened with prayer by the Rev. Roger T. Nooe, pastor of the Christian church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen
Chas. Ashby

B. S. Bailey
L. D. Baldauf

J. H. Ballard
A. L. Baldwin

Robert Bays	L. B. Hamilton	W. B. O'Bannon
W. T. Beckham	B. H. Harris	T. P. Oliver
B. C. Beckmann	David J. Howard	W. F. Paris
H. V. Bell	Joe Huddleston	Lilburn Phelps
W. P. Bowman	A. R. Hudson	Luther Pieratt
J. L. Bradford	Chas. L. Hunter	Ote Piper
O. V. Brown	J. W. Johnson	H. C. Rice
T. L. Caudel	Leslie P. Jones	Avery Sartin
H. C. Chappell	W. H. Jones	Claude B. Smith
Everett Cobb	W. F. Klair	R. T. Smith
A. S. Cooper	H. A. Knollmann	T. J. Smith
Fred Cornelius	S. D. Laughlin	Thomas Spurrier
James S. Cruse	Joseph Lazarus	John W. Swope
J. C. Davis	M. E. Lee	Claude M. Thomas
A. A. Demunbrun	J. E. Lilly	John B. Thomas
H. L. Dixon	Harry J. Meyers	J. T. Thornton
W. G. Dycus	Clarence Miller	S. G. Thornberry
F. A. Easterling	S. H. Moore	W. F. Trusty
J. M. Elliston	John T. Murphy	F. C. VanHoose
Lark Garnett	A. J. McCandless	Geo. C. Waggoner
M. E. Gilbert	W. P. McDonogh	G. Frank Walthal
W. H. Hager	H. G. McGehee	T. R. Welch
J. S. Hall	S. Lee McGohan	W. N. Winn
A. L. Hamilton	H. C. McLellen	E. G. Young

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Upon motion of Mr. Thornton the reading of the Journal of yesterday was dispensed with and the Journal approved.

The House then took up for consideration the unfinished business of yesterday, viz.:

H. B. 94. An act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any premises used for such purposes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whoever shall erect, establish, continue, maintain, use, own, occupy, lease or sub-lease any building, erection or place used for the purpose of lewdness, assignation, or prostitution in the Commonwealth of Kentucky, shall be guilty of a nuisance, and the building, erection, or place, and the ground itself in or upon which such lewdness, assignation, or prostitution is conducted, permitted, or carried on, continued, or exists, and the furniture, fixtures, and musical instruments therein and all other contents thereof are declared a nuisance and shall be enjoined and abated as hereinafter provided.

§ 2. That whenever a nuisance is kept, maintained, or exists as defined in this act the Commonwealth attorney or county attorney, or any citizen of the county wherein such nuisance exists, may maintain an action in equity in the name of the Commonwealth of Kentucky, upon the relation of such attorney or citizen, to perpetually enjoin said nuisance, the person or persons conducting or maintaining the same, and the owner or agent of the building or ground upon which nuisance exists. In such action the court, or a judge in vacation, shall, upon the presentation of a petition therefor alleging that the nuisance complained of exists, grant a temporary injunction without bond, if the existence of such nuisance be made to appear to the satisfaction of the court or judge by evidence in the form of affidavits, depositions, oral testimony, or otherwise, as the complainant may elect. Three days' notice, in writing, shall be given the defendant of the hearing of the application, and if then continued at his instance the injunction as prayed shall be granted as a matter of course. When an injunction has been granted it shall be binding on the defendant throughout the Commonwealth of Kentucky, and any violation of the provisions

of injunction herein provided shall be a contempt as hereinafter provided.

§ 3. In such action evidence of the general reputation of the place shall be admissible for the purpose of proving the existence of said nuisance. If the complaint is filed by a citizen, it shall not be dismissed, except upon a sworn statement made by the complainant and his attorney, setting forth the reasons why the action should be dismissed, and the dismissal approved by the Commonwealth or county attorney in writing or in open court. If the court is of the opinion that the action ought not to be dismissed, it may direct the Commonwealth or county attorney to prosecute said action to judgment; and if the action is continued more than one term of court, any citizen may be substituted for the complaining party and prosecute said action to judgment. If the action is brought by a citizen, and the court finds there was no reasonable ground or cause for said action, the costs may be taxed to such citizen.

§ 4. That in case of the violation of any injunction granted under the provisions of this act, the court, or, in vacation, a judge thereof, may summarily try and punish the offender. The proceedings shall be commenced by filing with the clerk of the court an affidavit setting out the alleged facts constituting such violation, upon which the court or judge shall cause an order of arrest to issue, under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may at any stage of the proceedings demand the production and oral examination of the witnesses. A party found guilty of contempt, under the provisions of this action, shall be punished by a fine of not less than \$200 nor more than \$1,000 or by imprisonment in the county jail not less than three nor more than six months or by both fine and imprisonment.

§ 5. That if the existence of the nuisance be established in an action as provided in this act, an order of abatement shall be entered as a part of the judgment in the case, which

order shall direct the removal from the building or place of all fixtures, furniture, musical instruments, or movable property used in conducting the nuisance, and shall order the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of one year, unless sooner released. If any person shall break, enter or use a building, erection, or place so directed to be closed he shall be punished as for contempt, as provided in the preceding action. The sheriff shall be allowed for sales hereunder the same fees as allowed for sales under execution. For all other services hereunder the sheriff shall be allowed a reasonable fee by the court to be taxed as part of the costs in the action.

§ 6. That the proceeds of the sale of the personal property, as provided in the preceding section, shall be applied in the payment of the costs of the action and abatement, and the balance, if any, shall be paid to the defendant.

§ 7. That if the owner, agent or lessee of any building, erection, place or ground against which an injunction has been issued, appears and pays all costs of the proceeding and filed a bond, with surety to be approved by the clerk, qualified as required by section 684 of the Civil Code of Practice, in the full value of the property to be ascertained by the court, or, in vacation, by the judge thereof conditioned that he will immediately abate said nuisance and prevent the same from being established or kept within a period of one year, thereafter, the court, or, in vacation, the judge, may, if satisfied of his good faith order the premises which had been closed under the order of abatement, to be released to said owner and said order of abatement canceled so far as the same may relate to said property; and if said bond be given and costs therein paid before judgment and order of abatement, the action shall be thereby abated as to said premises. The release of the property under the provisions of this section shall

not release it from any judgment, lien or liability, to which it may be otherwise subject by law.

§ 8. That whenever a permanent injunction issues against any person for maintaining a nuisance as herein defined, or against any owner or agent of the building kept or used for the purpose prohibited by this act, or when the case shall be disposed of under section seven of this statute, the court shall allow to the attorney for the plaintiff a reasonable fee which shall be taxed as a part of the costs of the action.

§ 9. That the Commonwealth attorney or county attorney or other attorney representing the plaintiff in any proceeding under this statute, may, with the approval of the court, grant immunity from prosecution to any witness who shall testify for plaintiff.

§ 10. That the costs of the action provided for hereunder shall constitute a lien upon any ground and improvements involved in the case, and the judgment shall provide for the enforcement thereof, but any personal property seized as herein provided shall be first sold and the proceeds applied to the payment of such costs before said ground or improvements shall be sold.

§ 11. If any person be convicted in any court of this State, of keeping or maintaining a bawdy or disorderly house or house of ill fame, or house of assignation, the county attorney or prosecuting attorney of such court, in which such conviction shall have occurred, shall, or any citizen of the State may, institute injunction proceedings against such person in a court of equity, as provided in this act and the said judgment of conviction shall be warrant for the court of equity issuing an injunction as provided therein against said person and the property unlawfully used as provided herein.

Mr. Allen offered the following amendment to said bill, viz.:

Amend section two by striking out word "county" after

the word "the" in line three and substituting therefor the words "Magisterial District."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E. Gilbert	T. P. Oliver
B. S. Bailey	W. H. Hager	W. F. Paris
L. D. Baldauf	L. B. Hamilton	Lilburn Phelps
Robert Bays	David J. Howard	Luther Pieratt
W. T. Beckham	Joe Huddleston	Ote Piper
H. V. Bell	A. R. Hudson	Avery Sartin
Leroy Bonta	Chas. L. Hunter	Claude B. Smith
W. P. Bowman	Leslie P. Jones	R. T. Smith
J. L. Bradford	H. A. Knollmann	T. J. Smith
O. V. Brown	S. D. Laughlin	John W. Swope
T. L. Caudel	Joseph Lazarus	Claude M. Thomas
H. C. Chappell	J. E. Lilly	John B. Thomas
Everett Cobb	Clarence Miller	S. G. Thornberry
A. S. Cooper	S. H. Moore	W. F. Trusty
Fred Cornelius	John T. Murphy	F. C. VanHoose
James S. Cruse	Ryland C. Musick	Geo. C. Waggoner
J. C. Davis	A. J. McCandless	G. Frank Walthal
A. A. Demunbrun	H. C. McGehee	W. N. Winn
H. L. Dixon	S. Lee McGohan	E. G. Young
W. G. Dycus	H. C. McLellen	
Lark Garnett	W. B. O'Bannon	

Those who voted in the negative were—

J. H. Ballard
B. C. Beckmann

J. W. Johnson
Harry J. Meyers

W. P. McDonogh
T. R. Welch

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Resolved that the title thereof be as aforesaid.

Mr. L. P. Jones moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz.:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the Acts of the Extraordinary Session of 1917, relating to expenses and employes of the State Tax Commission.

Also that they had passed a bill which originated in the Senate of the following title, viz.:

S. B. 52. An act amending that part of section No. 965, Kentucky Statutes, relating to the times for holding circuit courts in certain districts.

To the Committee on Circuit Courts.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. B. S. Bailey:

H. B. 343. An act to amend and re-enact section 4 of an act approved March 13, 1916, entitled an act to promote pure elections, primaries and conventions, and to prevent corrupt practice in the same; to limit the expenses of candidates; to provide the duties of candidates and providing penalties and remedies for violations, and declaring void, under certain conditions, elections in which these provisions or any of them have been violated.

To the Committee on Suffrage and Elections.

By same:

H. B. 344. An act to amend section three hundred and ninety-two of the Kentucky Statutes, Carroll's 1915 edition, providing for the appointment of a master commissioner, fixing his term of office and bond to be given.

To the Committee on Judiciary.

By same:

H. B. 345. An act repealing and re-enacting section 4325, Kentucky Statutes, Edition of 1915, relating to public roads.

To the Committee on Public Roads and Highways.

By same:

H. B. 346. An act for the confinement of bird dogs and fixing penalties.

To the Committee on Agriculture.

By same:

H. B. 347. An act amending an act entitled an act for the government of cities of the fifth class, approved July 3, 1893.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. Davis:

H. B. 348. An act to repeal section 3745, Kentucky Statutes, Edition 1915, relating to eligibility of Senators and Representatives in the General Assembly.

To the Committee on Kentucky Statutes.

By Mr. Bell:

H. B. 349. An act relating to dogs; the promotion of live stock industries, and the protection of live stock and poultry from damage by dogs; providing for licensing dogs; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, providing for listing of dogs by county assessors and penalty for his failure to so list; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, town and township officers and employes, and providing penalties.

To the Committee on Agriculture.

By Mr. L. B. Hamilton:

H. B. 350. An act to amend and re-enact sections 1 and 5 of an act entitled an act for the protection of game and fish, approved March 12, 1912.

To the Committee on Retrenchment and Reform.

By Mr. Piper:

H. B. 351. An act amending section 25 of an act amending an act entitled an act for the protection of game and fish, chapter 35, Acts 1912, approved March 12, 1912, as amended by chapter 30, Acts 1916, approved March 22, 1916.

To the Committee on Fish and Game.

By Mr. Ballard:

H. B. 352. An act to amend sections 3486 and 3502, Kentucky Statutes, Carroll's 1915 edition, relating to cities of the fourth class.

To the Committee on Municipalities.

By Mr. L. P. Jones:

H. B. 353. An act to amend section 3025, Kentucky Statutes, Carroll's edition of 1915, concerning the form and amount of liquor licenses in cities of the first class, being part of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

To the Committee on Alcoholic Liquor Traffic.

By Mr. Spurrier:

H. B. 354. An act to amend section 227 of the Constitution of the Commonwealth of Kentucky relating to removal of officers for misfeasance, malfeasance or neglect of duty.

To the Committee on Public Offices.

By Mr. Dixon:

H. B. 355. An act to protect the people of this Com-

monwealth from fraud in the sale of fruit trees and other nursery products.

To the Committee on Agriculture.

By Mr. Cobb:

H. B. 356. An act requiring stock yards and railroads to provide shelter and water for live stock.

To the Committee on Agriculture.

By Mr. Radcliffe:

H. B. 357. An act relating to loans by insurance companies.

To the Committee on Insurance, Life and Accident.

Mr. Claud M. Thomas moved that the House resolve itself into a Committee of the Whole for the purpose of hearing Banking Commissioner, Hon. George G. Speer, discuss for ten minutes matters pertaining to State banks, and House Bill No. 222.

Said motion was agreed to.

The speaker designated Mr. Lilly to preside as chairman of the Committee of the Whole.

Mr. Speaker Crowe vacated the Chair.

After a time Mr. Klair moved that the Committee of the Whole rise and report.

Said motion was agreed to.

Mr. Speaker Crowe resumed the Chair.

Mr. Lilly, Chairman of the Committee of the Whole, reported that said committee heard the address by Banking Commissioner, Hon. George G. Speer, and further reported progress.

The House was then in order.

Mr. Claud M. Thomas moved that the rules be suspended and that House Bill No. 222 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 222. An act to amend article 2, subdivision 1, section 583 of the Kentucky Statutes, being chapter 32, Carroll's 1915 edition, an act of April 5, 1893, relating to indebtedness of person to a bank and highest amount permitted to be loaned by banking institutions and fixing the amount of funds or moneys a bank may invest in United States Government Bonds, United States Certificates of Indebtedness and State warrants or bonds of the Commonwealth of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 583 of Carroll's Kentucky Statutes, Edition of 1915, be and the same is hereby repealed and re-enacted so that said section as re-enacted shall read as follows:

No bank shall permit any of its stockholders, or any person, company or firm, including in the liability of the company or firm the liability of the individual members thereof, directly or indirectly, to become indebted to it in a sum ex-

ceeding twenty per cent of its capital stock actually paid in, and its actual amount of surplus, unless such borrower pledge with it good collateral security, or execute to it a mortgage upon real or personal estate, which at the time is of more than the cash value of such loan or indebtedness above all other incumbrances; and if the borrower is a director or officer of such bank, he shall not be permitted to become indebted to it in excess of ten per cent. of its paid-up capital stock without securing the excess by the mortgage or pledge of real or personal property double in value the amount of such excess; and in no event shall the indebtedness of any person, company or firm, including in the liability of the company or firm the liability of the individual members thereof, exceed thirty per cent of its paid-up capital and actual surplus. Provided, however, that State banks, trust companies and combined banks and trust companies doing business in this Commonwealth, may invest fifty per cent of their capital and surplus in United States Government bonds or United States certificates of indebtedness and in State warrants or bonds of the Commonwealth of Kentucky.

§ 2. It appearing that certain banking institutions in this Commonwealth are desirous of investing their funds in these securities, and it further appearing that the United States National Government is asking that the State banks now carry a greater amount of these securities than they are permitted to do under the existing law, and that it is necessary for the prompt consideration and purchase of these securities, it is hereby declared that an emergency exists, and this act shall take effect from and after its passage and approval as required by law.

Mr. Allen offered the following amendment to said bill, viz.:

Amend section one, line twenty, by striking out the word "fifty" and inserting in lieu thereof one hundred."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E. Gilbert	H. C. McLellen
Chas. Ashby	W. H. Hager	W. B. O'Bannon
B. S. Bailey	J. S. Hall	T. P. Oliver
L. D. Baldauf	A. L. Hamilton	W. F. Paris
J. H. Ballard	L. B. Hamilton	Lilburn Phelps
Robert Bays	B. H. Harris	Luther Pieratt
W. T. Beckham	David J. Howard	Ote Piper
B. C. Beckmann	A. R. Hudson	Richard Radcliffe
H. V. Bell	Chas. L. Hunter	H. C. Rice
Leroy Bonta	J. W. Johnson	Avery Sartin
W. P. Bowman	Leslie P. Jones	Claude B. Smith
J. L. Bradford	W. F. Klair	R. T. Smith
O. V. Brown	H. A. Knollmann	T. J. Smith
T. L. Caudel	S. D. Laughlin	Thomas Spurrier
H. C. Chappell	Joseph Lazarus	John W. Swope
Everett Cobb	M. E. Lee	Claude M. Thomas
A. S. Cooper	J. E. Lilly	John B. Thomas
Fred Cornelius	Clarence Miller	S. G. Thornberry
James S. Cruse	S. H. Moore	J. Wood Vance
J. C. Davis	John T. Murphy	F. C. VanHoose
A. A. Demunbrun	Ryland C. Musick	Geo. C. Waggoner
H. L. Dixon	A. J. McCandless	G. Frank Walthal
W. G. Dycus	W. P. McDonogh	T. R. Welch
F. A. Easterling	H. C. McGehee	W. N. Winn
Lark Garnett	S. Lee McGohan	E. G. Young

Resolved that the title thereof be as aforesaid.

Mr. R. T. Smith moved that Senate Bill No. 14 be taken from the orders of the day and placed upon its passage.

Said motion was disagreed to.

Mr. Lee moved that the orders of the day be postponed until the committees are called for reports on bills.

Said motion was disagreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 12. An act fixing the jurisdiction of county courts, justices' courts and police courts in criminal cases.

Mr. Klair moved that said bill be made a special order for Thursday next at eleven o'clock a. m.

Said motion was disagreed to.

Mr. Waggoner moved that said bill be recommitted to the Committee on County and City Courts with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 122. An act to amend and re-enact sections 3513 and 3523, Kentucky Statutes, relating to city courts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3513 of the Kentucky Statutes be, and the same is hereby amended by striking therefrom in the sixteenth line thereof immediately after the word "of," the following words: "Justices of the peace," and by inserting therein in lieu thereof the words: "Quarterly courts," so that said section 3513 when amended shall read as follows:

"Section 3513. Examining Court—General Powers—Jurisdiction of—Jury Fee.—The judge of the city court shall be commissioned by the Governor; he shall be a conservator of the public peace, and may order arrests for all offenses against the laws of the State or ordinances of the city; and for those committed within his presence he may order arrests without warrant. He shall have full power and authority to require bail, and receive the acknowledgment and execution of recognizances of bail in all cases coming before him in which bail is or may be authorized hereafter, or required by the laws of the land, and to take recognizances or bail for good behavior and to keep the peace, the same as circuit courts have, and like power to take the same as forfeited and pronounce judgment thereon, and to enforce full compliance therewith. Said court shall have the power as an examining court in all cases except homicide, and shall have original concurrent jurisdiction within the limits of the city of all offenses within the jurisdiction of justices of the peace. The city court shall have civil jurisdiction co-extensive with the county, and equal to that of quarterly courts. Said court shall have jurisdiction over affrays, riots and routs, breaches of the peace, unlawful assemblies, and cases of indecent or immoral behavior or conduct calculated to disturb the peace and dignity of said town; over all cases of drunkenness, running horses, profane swearing, firing guns and pistols, carrying concealed weapons, making reports by burning powder or crackers, or otherwise, blowing horns, flying kites, crying aloud by day or night, and all other riotous conduct whatso-

ever within said town, all of which are hereby declared to be misdemeanors, for which fines or imprisonment, or both, may be prescribed by ordinance. He shall have exclusive jurisdiction of all offenses or causes arising out of ordinances enacted by the council for the enforcement of the powers granted them by law. He shall have power to issue summons for witnesses in cases pending before him, and upon their failure to attend may award compulsory process to compel their attendance. He shall have power, without the intervention of a jury, to fine and imprison for contempt, provided the fine shall not exceed ten dollars, nor the imprisonment twelve hours. He shall have power and authority to administer oaths, take depositions and grant injunctions, issue attachments and distress warrants, writs of habeas corpus, in the same manner and under the same restrictions and in the same causes that county judges are now or may hereafter be authorized by law. In all trials under the ordinances of the city, when no jury is required, the court shall tax one dollar as the judge's cost therein. In jury trials, under the ordinances of the city, the court shall tax two dollars as the judge's costs therein.

§ 2. That section 3523 of the Kentucky Statutes be and the same is hereby amended by striking therefrom in the third line thereof and immediately after the word "jurisdiction," the following words "and for the trial of civil cases there shall be a monthly term, to be held on the first Tuesday of each month, and continue as many days as the business may require," and by inserting in lieu thereof the following words "both civil and criminal," so that said section 3523 when amended shall read as follows:

"Continuous Session as Police Court.—The said court, so far as it is a police court or court of inquiry, shall always be open for the hearing and determining of such causes as are within its jurisdiction, both civil and criminal."

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Beckham offered the following amendment to said bill by way of substitute therefor, viz.:

Amendment to House Bill No. 122.

Amend House Bill No. 122 by striking out all of section 1, numbering section 2 as section 1, so that said bill will read as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That section 3523 of the Kentucky Statutes be and the same is hereby amended by striking therefrom in the third line thereof and immediately after the word "jurisdiction," the following words "and for the trial of civil cases there shall be a monthly term, to be held on the first Tuesday of each month, and continue as many days as the business may require," and by inserting in lieu thereof the following words "both civil and criminal," so that said section 3523 when amended shall read as follows:

"Continuous Session as Police Court.—That said court, so far as it is a police court or court of inquiry, shall always be open for the hearing and determining of such cases as are within its jurisdiction, both civil and criminal."

All laws and parts of laws in conflict herewith are hereby repealed.

Said amendment by way of substitute was agreed to.

Mr. Beckham offered the following amendment to the title of said bill, viz.:

Amend title to House Bill No. 122 by striking out section 3513, so that said title as amended will read: "An act to amend and re-enact section 3523 of Carroll's edition of the Kentucky Statutes."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, by way of substitute and title, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	David J. Howard	Luther Pieratt
L. D. Baldauf	A. R. Hudson	Ote Piper
J. H. Ballard	J. W. Johnson	H. C. Rice
W. T. Beckham	Leslie P. Jones	Avery Sartin
B. C. Beckmann	W. F. Klair	Claude B. Smith
H. V. Bell	H. A. Knollmann	R. T. Smith
W. P. Bowman	S. D. Laughlin	T. J. Smith
Everett Cobb	M. E. Lee	John W. Swope
A. S. Cooper	J. E. Lilly	Claude M. Thomas
James S. Cruse	Harry J. Meyers	John B. Thomas
A. A. Demunbrun	S. H. Moore	S. G. Thornberry
H. L. Dixon	John T. Murphy	J. Wood Vance
W. G. Dycus	Ryland C. Musick	F. C. VanHoose
F. A. Easterling	A. J. McCandless	Geo. C. Waggoner
J. M. Elliston	W. P. McDonogh	G. Frank Walthal
Lark Garnett	S. Lee McGohan	T. R. Welch
W. H. Hager	W. B. O'Bannon	W. N. Winn
J. S. Hall	T. P. Oliver	E. G. Young
A. L. Hamilton	W. F. Paris	
L. B. Hamilton	Lilburn Phelps	

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Resolved that the title thereof be as amended.

Mr. Beckham moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Mr. Caudel was granted an indefinite leave of absence.

The House took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 5. An act relating to cities of the fifth class, chapter 89, Kentucky Statutes, and providing for publication of ordinances.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

All ordinances and advertisements which are now or hereafter required by law to be published of cities of the fifth class, shall be published in some newspaper, published in such cities, and if there is more than one newspaper published in any such city, the same shall be published in the one having the largest circulation which is published in said city. The rate to be charged and collected therefor by the newspaper publishing the same shall not exceed fifty cents per linear inch, single column, solid eight point measure, for each insertion.

All laws in conflict herewith are hereby repealed.

Mr. T. J. Smith offered the following amendment to said bill, viz.:

Amend by striking out the words "the same shall be published in the one having the largest circulation," and insert therefor the words "either paper."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and refused.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. H. Ballard	W. H. Hager	Avery Sartin
W. T. Beckham	Chas. L. Hunter	Thomas Spurrier
H. V. Bell	Leslie P. Jones	Claude M. Thomas
Leroy Bonta	S. D. Laughlin	John B. Thomas
J. L. Bradford	J. E. Lilly	J. Wood Vance
Everett Cobb	Ryland C. Musick	Geo. C. Waggoner
A. A. Demunbrun	S. Lee McGohan	G. Frank Walthal
Lark Garnett	T. P. Oliver	T. R. Welch
M. E. Gilbert	Richard Radcliffe	—26

Those who voted in the negative were—

Ed. L. Allen	W. G. Dycus	H. C. McGehee
Chas. Ashby	F. A. Easterling	W. F. Paris
B. S. Bailey	J. M. Elliston	Ote Piper
B. C. Beckmann	J. S. Hall	H. C. Rice
W. P. Bowman	L. B. Hamilton	Claude M. Thomas
O. V. Brown	B. H. Harris	R. T. Smith
H. C. Chappell	Joe Huddleston	T. J. Smith
Fred Cornelius	J. W. Johnson	S. G. Thornberry
James S. Cruse	Harry J. Meyers	W. F. Trusty
J. C. Davis	A. J. McCandless	W. N. Winn
H. L. Dixon	W. P. McDonogh	E. G. Young

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Mr. Meyers moved that the vote by which said bill was refused be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 126. An act to provide whole family protection for members of fraternal benefit societies.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any fraternal benefit society authorized to do business in this State and operating on the lodge plan, may provide in its constitution and by-laws, in addition to other benefits provided for therein, for the payment of death or annuity benefits upon the lives of children between the ages of two and eighteen years at next birthday (for whose support and maintenance a member of such society is responsible). Any such society may at its option, organize and operate branches for such children and membership in local lodges and initiation therein shall not be required of such children, nor shall they have any voice in the management of the society. The total benefits payable as above provided shall in no case exceed the following amounts at ages at next birthday at time of death, respectively, as follows: two, thirty-four dollars; three, forty dollars; four, forty-eight dollars; five, fifty-eight dollars; six, one hundred and forty dollars; seven, one hundred and sixty-eight dollars; eight, two hundred dollars; nine, two hundred and forty dollars; ten, three hundred dollars; eleven, three hundred and eighty dollars; twelve, four hundred and sixty dollars; thirteen to fifteen, five hundred and twenty dollars; and sixteen to eighteen years, where not otherwise authorized by law, six hundred dollars.

§ 2. No benefit certificate as to any child shall take effect until after medical examination or inspection in accordance

with the laws of the society, nor shall any such benefit certificate be issued unless the society shall simultaneously put in force at least five hundred such certificates, on each of which at least one assessment has been paid, nor where the number of lives represented by such certificate falls below five hundred. The death benefit contributions to be made upon such certificate shall be based upon the "Standard Industrial Mortality Table," or the "English Life Table Number Six," and a rate of interest not greater than four per cent. per annum, or upon a higher standard; provided that contributions may be waived or returns may be made from any surplus held in excess of reserve and other liabilities, as provided in the by-laws, and, provided further that extra contributions shall be made if the reserves hereafter provided for become impaired.

§ 3. Any society entering into such insurance agreements shall maintain on all such contracts the reserve required by the standard of mortality and interest adopted by the society for computing contributions as provided in section 2, and the funds representing the benefit contributions and all accretions thereon shall be kept as separate and distinct funds, independent of the other funds of the society, and shall not be liable for nor used for the payment of the debts and obligations of the society other than the benefits herein authorized; provided that a society may provide that when a child reaches the minimum age for initiation into membership in such society, any benefit certificate issued hereunder may be surrendered for cancellation and exchanged for any other form of certificate issued by the society, provided that such surrender will not reduce the number of lives insured in the branch below five hundred, and upon the issuance of such new certificate any reserve upon the original certificate herein provided for shall be transferred to the credit of the certificate. Neither the person who originally made application for benefits on account of such child, nor the beneficiary named in such original certificate, nor the person who paid

the contributions, shall have any vested right in such new certificate, the free nomination of a beneficiary under the new certificate being left to the child so admitted to benefit membership.

§ 4. An entirely separate financial statement of the business transactions and of assets and liabilities arising therefrom shall be made in its annual report to the Insurance Commissioner by any society availing itself of the provisions hereof. The separation of assets, funds and liabilities required hereby shall not be terminated, rescinded or modified, nor shall the funds be diverted for any use other than as specified in section 3, as long as any certificates issued hereunder remain in force, and this requirement shall be recognized and enforced in any liquidation, reinsurance, merger or other change in the condition of the status of the society.

§ 5. Any society shall have the right to provide in its laws and the certificate issued hereunder for specified payments on account of the expense or general fund, which payments shall or shall not be mingled with the general fund of the society as its constitution and by-laws may provide.

§ 6. In the event of the termination of membership in the society by the person responsible for the support of any child, on whose account a certificate may have been issued, as provided herein, the certificate may be continued for the benefit of the estate of the child, provided the contributions are continued, or for the benefit of any other person responsible for the support and maintenance of such child, who shall assume the payment of the required contributions.

Mr. Radcliffe offered the following amendment to said bill, viz.:

Amend section two, line two, by adding after the word "inspection" the words "by a licensed medical practitioner."

Said amendment was agreed to.

Mr. Radcliffe offered the following amendment to said bill, viz.:

Amend section four, line five, by striking out the word "diverted" and inserting in lieu thereof the word "divested."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. L. Hamilton	S. Lee McGohan
Chas. Ashby	L. B. Hamilton	H. C. McLellen
B. S. Bailey	B. H. Harris	W. B. O'Bannon
L. D. Baldauf	David J. Howard	T. P. Oliver
J. H. Ballard	Joe Huddleston	W. F. Paris
W. T. Beckham	A. R. Hudson	Lilburn Phelps
H. V. Bell	Chas. L. Hunter	Luther Pieratt
W. P. Bowman	J. W. Johnson	Ote Piper
J. L. Bradford	Leslie P. Jones	Richard Radcliffe
O. V. Brown	W. F. Klair	Avery Sartin
Everett Cobb	S. D. Laughlin	Claude B. Smith
J. C. Davis	Joseph Lazarus	R. T. Smith
H. L. Dixon	J. E. Lilly	T. J. Smith
F. A. Easterling	Harry J. Meyers	Thomas Spurrier
J. M. Elliston	Clarence Miller	John W. Swope
Lark Garnett	S. H. Moore	Claude M. Thomas
W. H. Hager	W. P. McDonogh	John B. Thomas
J. S. Hall	H. C. McGehee	J. Wood Vance

F. C. VanHoose	T. R. Welch	E. G. Young	
G. Fránk Walthal	W. N. Winn		—59

Resolved that the title thereof be as aforesaid.

Mr. Radcliffe moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had concurred in a House resolution of the following title, viz.:

H. Res. 13. Resolution employing stenographers to the Chief Clerk of the House of Representatives.

Also, that they had adopted a resolution originating in that body of the following title, viz.:

S. Res. 11. Resolution directing the Senate and House Committees on Charitable Institutions to visit the charitable institutions of the Commonwealth, and providing for the payment of their expenses.

Whereas, there are bills pending before the General Assembly asking for appropriations for the charitable institutions of the Commonwealth, and

Whereas, it is deemed wise that the committees above named visit these institutions for the purpose of informing themselves of the need and extent of the proposed appropriations; therefore,

Be it resolved by the General Assembly, the Senate and the House concurring:

That the Senate and House Committees on Charitable

Institutions be and they are now directed to visit each of the charitable institutions of the Commonwealth, or such of them as they may elect to visit and make inspection thereof at such time during the current session of the General Assembly as they may deem wise and proper.

(2) After making such visits as above provided, said committee shall make its report to the General Assembly as to the condition and needs of said institutions, and may report any other matters pertinent thereto as they may see fit.

(3) Said committees shall visit said institutions accompanied by the Sergeant-at-Arms of the Senate, who shall look after the necessary expenses of said committees, and he shall upon the completion of the visit or visits of said committees file with the Auditor of Public Accounts a statement of the necessary expenses of the committees during said visits, whereupon the Auditor shall draw his warrant upon the Treasurer for the amount of said expense account.

Mr. Klair moved that the rules be suspended and that said Senate Resolution No. 11 be concurred in.

Said motion was agreed to.

The yeas and nays being taken on said Senate Resolution No. 11 were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	B. H. Harris
B. S. Bailey	H. C. Chappell	Chas. L. Hunter
L. D. Baldauf	Everett Cobb	J. W. Johnson
J. H. Ballard	J. C. Davis	W. F. Klair
W. T. Beckham	H. L. Dixon	S. D. Laughlin
B. C. Beckmann	F. A. Easterling	Joseph Lazarus
H. V. Bell	Lark Garnett	M. E. Lee
W. P. Bowman	W. H. Hager	J. E. Lilly
J. L. Bradford	A. L. Hamilton	Harry J. Meyers

Clarence Miller	W. F. Paris	John B. Thomas
S. H. Moore	Lilburn Phelps	F. C. VanHoose
A. J. McCandless	Luther Pieratt	Geo. C. Waggoner
W. P. McDonogh	Ote Piper	G. Frank Walthal
H. C. McGehee	Avery Sartin	T. R. Welch
S. Lee McGohan	R. T. Smith	W. N. Winn
H. C. McLellen	Thomas Spurrier	E. G. Young
W. B. O'Bannon	John W. Swope	
T. P. Oliver	Claude M. Thomas	

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Those who voted in the negative were—

L. B. Hamilton	Leslie P. Jones	T. J. Smith
Joe Huddleston	H. C. Rice	S. G. Thornberry
A. R. Hudson	Claude B. Smith	J. Wood Vance

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And so said resolution was concurred in.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a bill of the following title, viz.:

H. B. 1. An act to amend and re-enact section 6 of chapter 1 of the Acts of the Extraordinary Session of 1917, relating to expenses and employes of the State Tax Commission.

Whereupon all other business was suspended, said bill was read at length and compared in open House and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House, and which had been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

In accordance with and pursuant to House Resolution No. 13, the Speaker appointed John M. Malley as stenographer to the Chief Clerk.

And the House, at one thirty o'clock p. m., in accordance with a resolution adopted by the Senate and concurred in by the House, adjourned to meet on Wednesday, February 13, 1918, at one-thirty o'clock p. m.

WEDNESDAY, FEBRUARY 13, 1918.

The House was opened with prayer by Rev. Father O'Dwyer, pastor of the Catholic Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Chas. Ashby	R. J. Cain	A. A. Demunbrun
B. S. Bailey	T. L. Caudel	Harry Dill
L. D. Baldauf	H. C. Chappell	F. A. Easterling
J. H. Ballard	Everett Cobb	J. M. Elliston
Robert Bays	A. S. Cooper	L. L. Embry
W. T. Beckham	W. P. Cropper	I. H. Gabbard
H. V. Bell	James S. Cruse	M. E. Gilbert
O. V. Brown	J. C. Davis	W. H. Hager

A. L. Hamilton	Ryland C. Musick	T. J. Smith
L. B. Hamilton	A. J. McCandless	Thomas Spurrier
B. H. Harris	W. P. McDonogh	Ben Street
David J. Howard	H. C. McGehee	John W. Swope
Joe Huddleston	S. Lee McGohan	Claude M. Thomas
A. R. Hudson	H. C. McLellen	John B. Thomas
Chas. L. Hunter	W. B. O'Bannon	Geo. F. Thompson
J. W. Johnson	T. P. Oliver	J. T. Thornton
Griffin Kelly	W. F. Paris	S. G. Thornberry
H. A. Knollmann	Lilburn Phelps	W. F. Trusty
S. D. Laughlin	Luther Pieratt	F. C. VanHoose
Joseph Lazarus	Richard Radcliffe	Geo. C. Waggoner
M. E. Lee	H. C. Rice	G. Frank Walthal
J. E. Lilly	Lewis Ryans	T. R. Welch
Harry J. Meyers	Avery Sartin	W. N. Winn
Clarence Miller	Joe Schneider	E. G. Young
Claude D. Minor	Claude B. Smith	
S. H. Moore	R. T. Smith	

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Upon motion of Mr. McLellen the reading of the Journal of Friday, February 8th, 1918, was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Huddleston:

H. B. 358. An act prescribing qualifications for justices of the peace in addition to such other qualifications as are now provided for by law.

To the Committee on Kentucky Statutes.

By Mr. B. S. Bailey:

H. B. 359. An act relating to the drainage and the pre-

vention of overflow of lands, towns, cities, roads, streets, the establishment, organization and maintenance of drainage, levee, and reclamation districts, the construction and maintenance of public ditches, canals, drains, sewers, dams, levees, and the straightening, widening, deepening, enlarging, and otherwise improving public ditches, drains, creeks, rivers or other streams, prescribing the method of procedure, the levying and collection of assessments for the payment of the costs and expenses of establishing and organizing such districts, the construction of such improvements, creating and incorporating boards of drainage commissioners, and prescribing the duties of commissioners and other officers and employes, and providing for the payment of such officers and employes performing duties, the issuing and selling of district bonds, with which to secure funds with which to defray the cost and expense of improvements hereunder.

To the Committee on Public Ditches and Fences.

By Mr. Minor:

H. B. 360. An act to provide for the assessment of all persons for poll tax purposes in any county, city, town, school district or other subdivision of this Commonwealth in which a poll tax is levied, and making it a misdemeanor for any person to fail to comply; prescribing a method of making the said assessment and providing a penalty to be added to all delinquent poll taxes, prescribing a method by which the said assessment and the collecting thereof shall be made by the assessing and tax collecting officials who shall fail to comply with the requirements of this act, and making it a misdemeanor for any person to fail to comply.

To the Committee on Revenue and Taxation.

By Mr. Dill:

H. B. 361. An act to amend and re-enact section 3487, Kentucky Statutes, Carroll's edition of 1915, relating to city clerks of cities of the fourth class

To the Committee on Cities of the Fourth Class.

By Mr. Thornton:

H. B. 362. An act to enlarge the powers of court house commissioners in counties having a court house district.

To the Committee on County and City Courts.

By Mr. Miller:

H. B. 363. An act to authorize the guardian of an infant curator or the committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for the removal of oil and mineral and other mining purposes, and regulating the procedure therefor, and repealing chapter 99 of the Acts of the regular session of the General Assembly of the Commonwealth of Kentucky during the year 1916.

To the Committee on Mines and Mining.

By Mr. Johnson:

H. B. 364. An act to amend and re-enact section 3276, subdivision 2 of article 4, chapter 89, Kentucky Statutes, and providing for the regular meetings of the common council and compensation of its members in cities of the third class.

To the Committee on Municipalities.

By Mr. R. T. Smith:

H. B. 365. An act to prohibit the slaughter of calves under twelve months of age, except male jersey calves, and providing a penalty for a violation of this act.

To the Committee on Agriculture.

By same:

H. B. 366. An act to regulate dealers in unmanufactured tobacco and to regulate tobacco warehouse companies handling unmanufactured tobacco, and requiring the dealers to obtain a license before engaging in the business, and requiring such dealers and the tobacco warehouse companies to keep certain records, and providing a penalty for the violation of this act.

To the Committee on Public Warehouses and Granaries.

By Mr. Beckman:

H. B. 367. An act to require justices of the peace in counties having cities of the first class to provide and maintain a suitable room for the transaction of public business and authorizing the payment of the expense thereof out of the county levy.

To the Committee on Municipalities.

By Mr. Ryans:

H. B. 368. An act to create the office of supervisor of parents, who are charged with wilful desertion or abandonment of indigent children under the age of sixteen years and to provide for the duties of such supervisors, to provide the manner in which he is to be appointed and removed from office and to provide for his compensation in counties having a population of 200,000 or more.

To the Committee on Juvenile Courts and Children's Homes.

By Mr. McLellen :

H. B. 369. An act entitled an act to promote the public health by providing for compulsory medical examination and treatment of certain classes of persons convicted in cities of the first class of offenses involving certain immoral conduct.

To the Committee on Public Health.

By Mr. Welch :

H. B. 370. An act regulating lights on automobiles.

To the Committee on Public Roads and Highways.

By Mr. Dycus :

H. B. 371. An act changing the time of holding circuit court in the Second Judicial District.

To the Committee on Circuit Courts.

By Mr. Hunter :

H. B. 372. An act to amend and re-enact section 14 of an act entitled an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners, and to provide penalties for violating the provisions thereof, approved March 24, 1912, now constituting chapter 71 of the compiled Acts of the General Assembly of 1916.

To the Committee on Agriculture.

By Mr. Brown:

H. B. 373. An act relating to public health, repealing, amending and re-enacting sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug division of the Agricultural Experiment Station, and for other purposes; creating county and district departments of health and providing and limiting the appropriations of the State Board of Health and further defining its powers and duties.

To the Committee on Public Health.

By same:

H. B. 374. An act relating to claims against the Treasury, particularly the per diem of members of boards, and the traveling and hotel expenses of State offices, members of boards and employes.

To the Committee on Public Offices.

By Mr. Sartin:

H. B. 375. An act amending section 2740, Kentucky Statutes, relating to towns of the fifth class and re-enacting same.

To the Committee on Cities of the Fifth and Sixth class.

By Mr. Howard:

H. B. 376. An act to require all persons, partnerships, incorporated companies and associations in this state, who

furnish to the public natural gas, artificial gas, electricity or water for compensation, whenever they charge for the same by metrical computation, to provide and keep in repair the best and most approved meters, and to furnish competent persons, servants, agents and employes to read said meters, and to compute and report accurately therefrom, the amount of gas, electricity or water used by their several patrons, and to prohibit all such from attempting to collect more than is justly due from any of such customers or patrons, and to provide fines and penalties for the failure to comply with the provisions of this act.

To the Committee on Judiciary.

By same:

H. B. 377. An act entitled an act to repeal and re-enact subsection 4 of section 2739, Kentucky Statutes, Carroll's edition of 1915, relating to motor vehicles.

To the Committee on Public Roads and Highways.

Mr. Klair moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Bullock, a former member of this House, was granted the privilege of the floor.

Mr. J. S. Hall was granted an indefinite leave of absence.

Mr. C. M. Thomas moved that House Bill No. 282, which had been referred to the Committee on Agriculture and which had been printed by the State Printer, was incorrectly printed and that same be returned back to the printer by the Clerk of the House in order that same be correctly printed.

Said motion was agreed to.

Mr. Lee moved that House Bill No. 246, which had been referred to the Committee on Military Affairs, be re-referred to the Committee on Appropriations.

Said motion was agreed to.

Mr. H. C. Duffy, ex-Speaker of the House, was granted the privilege of the floor of the House.

Mr. Thornton offered the following resolution, viz.:

H. Res. 17. Joint resolution proposing a visit by the Senate and House to Camp Zachary Taylor, enabling the membership of these bodies to pay respect to the young men being there prepared to fight our battles.

Whereas, one of the sixteen cantonments established by the government of the United States for training and preparation of American young men for service in our armies in defense of human liberty, and for the preservation of democracy throughout the world was located within our borders near the city of Louisville, and is known and will be known in history as Camp Zachary Taylor, and,

Whereas, the people of Kentucky and this General Assembly as their representatives, have a right to a pardonable pride, not only by reason of the fact that our state was given the honor of being selected for this great military establishment, but because Camp Taylor in all particulars has proven the most desirable location, and from a military point of view the most eminently successful of any in the country; now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That this General Assembly adjourn on _____, February _____, 1918, for the purpose of visiting and paying our respects to the young soldiers of that great cantonment, who are soon to go to the battlefield to fight for us the great determining struggle of free peoples against the encroachment of military autocracy.

Ordered that said resolution lie on the Clerk's desk.

Mr. R. T. Smith offered the following resolution, viz.:

H. Res. 18. Resolution regarding the manipulation and control of sales of leaf tobacco in this Commonwealth.

Whereas, even an inferior degree of patriotism and an imperfect conception of common honesty and fair dealing demand in the status of the markets and the condition of transportation resulting from the perilous times of war that all men abide by the laws of the country, both State and Federal, and cease to take advantage of the conditions and to cripple or destroy any industry, especially farming industry, by conspiring and confederating to manipulate and to control the prices of farm products, and,

Whereas, the general welfare of the country and the laws of the land demand that men cease profiteering by the means of confederation to manipulate and control the markets, and require that men in every line of business join in the universal effort being made to encourage and assist every industry, and especially farming industry, and,

Whereas, it is apparent from the condition of the tobacco market in this State that the methods resorted to by the R. J. Reynolds Tobacco Co., the American Tobacco Co., the Liggett & Myers Company and J. P. Lorillard Company are the products of a confederation of these companies to con-

trol the tobacco market in this State, and that these four companies are acting in concert and in pursuance to a conspiracy entered into for the purpose of manipulating and controlling the tobacco market in several counties of this State, which is seriously detrimental to the tobacco industry, as well as to the independent buyers of tobacco in this State, and that these four companies, by and through their agents in this State, will continue to manipulate and control the tobacco market in this State unless tobaccoadnon ulatetrolthet manip market in this State unless they are exposed and made to comply with the anti-trust laws of this State, therefore,

Be it resolved by the House and Senate concurring in this joint resolution:

That the General Assembly, through the President of the Senate, and the Speaker of the House, select two members of the Senate, to be named by the President of the Senate, and three members of the House, to be named by the Speaker of the House, as a committee to investigate the cause of the present condition of the tobacco market in this State, and the connection, direct and indirect, of said four companies and their several agents, and report to the General Assembly at this session the connection of said four companies and the manipulation by them of the tobacco market in this State, and whether or not they are violating the anti-trust laws of this State, and whether or not the anti-trust laws, now in operation in this State, are adequate to prevent in the future the confederation to manipulate and control the tobacco market and the manipulation and controlling the market in this State by such companies and their agents. That said committee be vested with power, and it is hereby vested with power to summons witnesses, administer oaths, and to hear any and all evidence which, in its judgment, may be necessary to accomplish the purpose of this joint resolution, and that said committee report to the present session of the General Assembly.

Ordered that said resolution lie on the Clerk's desk.

Mr. Beckham offered the following resolution, viz.:

Whereas, the Honorable Frank C. Greene, a former member of this body, and now Kentucky State Director of the American National Red Cross, will retire as such director on March 1, 1918, and whereas he has rendered most valuable services to his country and his State during the past year,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That this body, believing it is voicing the sentiment of the people of Kentucky, desires to express its appreciation of the commendable work done by its State Director, Honorable Frank C. Greene, and for the efficient way in which he has discharged the important duties of his position and for the great work that has been accomplished under his leadership in strengthening the power for good of this noble organization

Be it further resolved that a copy of this resolution be spread upon the Journal of this House and a copy be sent to the Honorable Frank C. Greene, at Carrollton, Kentucky.

Said resolution was adopted.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 38. An act relating to cities of the fifth class, chapter 89, Kentucky Statutes, and providing for the publication of the ordinances thereof and the advertising of such matters as are required to be made by such cities, and fixing a rate to be charged therefor by newspapers.

To the Committee on Cities of the Fifth and Sixth Class.

S. B. 66. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition, 1915, relative to the State Normal School for Colored Persons and amending and re-enacting same.

To the Committee on State Normal Schools.

S. B. 18. An act for the improvement of the public highways of this Commonwealth.

To the Committee on Public Roads and Highways.

S. B. 15. An act to amend section 1358, Kentucky Statutes.

To the Committee on Criminal Law.

Mr. Laughlin called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 16. Resolution inviting Mrs. Cora Wilson Stewart to address the General Assembly.

(For said resolution see H. J. Feb. 7, 1918.)

Mr. Laughlin offered the following amendment to said resolution, viz.:

Amend H. Res. 16 by changing the date therein from Thursday, February 14th, 1918, to Wednesday, February 27th, 1918.

Said amendment was agreed to.

Said resolution as amended was adopted.

The committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Welch, of the Committee on Public Health:

H. B. 133. An act in relation to advertisements concerning venereal diseases and sale of remedies therefor.

With an amendment thereto by way of substitute therefor.

By Mr. Howard, of the Committee on Judiciary:

S. B. 28. An act to amend and re-enact section 2248, Kentucky Statutes.

By same:

H. B. 69. An act to amend section 2119 of article 2 of chapter 66 of the Kentucky Statutes relating to actions for divorce and the duties and fees of county attorneys in respect thereto.

With an amendment thereto.

By Mr. Beckmann, of the Committee on Municipalities:

H. B. 223. An act to amend an act entitled an act to amend the school laws and to create Boards of Education and to define their duties in cities of the first class, which was approved March 4, 1910.

By same:

H. B. 134. An act to amend section 2755, Kentucky Statutes, Carroll's edition 1915, concerning the subject of weights and measures of the cities of the first class.

By same:

H. B. 251. An act authorizing the fiscal court of counties containing a population of over two hundred thousand (200,000) wherein there is located a city of the first class to contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools of said city and for the purpose of enabling the said fiscal court to appropriate a sum of money annually for the maintenance and support of such library payable out of the county levy funds in its hands.

By same:

H. B. 211. An act concerning loan and investment companies in cities of the first and second class, defining same and providing for the incorporation, powers, supervision and control of such companies.

By Mr. McGohan, of the Committee on Alcoholic Liquor Traffic:

S. B. 61. An act to prohibit the shipment and delivery of intoxicating liquors in local option territory, and prohibiting any person in such territory from receiving such liquors, prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

With an amendment thereto.

By Mr. Garnett, of the Committee on Cities of the Fourth Class:

H. B. 216. An act to amend section 3490, Kentucky Statutes, Carroll's edition 1915, being an act entitled an act to amend an act entitled an act for the government of cities of the fourth class, approved March 19, 1912, and being a part

of charters of cities of the fourth class be, and the same is, amended by adding subsection 36.

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 255. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 14, 1918.

The House was opened with prayer by the Rev. Father O'Dwyer, pastor of the Catholic church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Chas. Ashby	T. L. Caudel	H. L. Dixon
B. S. Bailey	H. C. Chappell	J. M. Elliston
L. D. Baldauf	Everett Cobb	I. H. Gabbard
J. H. Ballard	John Cook	Lark Garnett
B. C. Beckmann	W. P. Cropper	M. E. Gilbert
H. V. Bell	James S. Cruse	W. H. Hager
W. P. Bowman	J. C. Davis	A. L. Hamilton
J. L. Bradford	A. A. Demunbrun	L. B. Hamilton
O. V. Brown	Harry Dill	B. H. Harris

David J. Howard	S. H. Moore	R. T. Smith
Joe Huddleston	John T. Murphy	T. J. Smith
A. R. Hudson	A. J. McCandless	Thomas Spurrier
Chas. L. Hunter	W. P. McDonogh	Ben Street
J. W. Johnson	S. Lee McGohan	John W. Swope
W. H. Jones	W. B. O'Bannon	Claude M. Thomas
Griffin Kelly	T. P. Oliver	John B. Thomas
W. F. Klair	W. F. Paris	Geo. F. Thompson
H. A. Knollmann	Lilburn Phelps	J. T. Thornton
S. D. Laughlin	Luther Pieratt	S. G. Thornberry
Joseph Lazarus	H. C. Rice	W. F. Trusty
M. E. Lee	Lewis Ryans	F. C. VanHoose
J. E. Lilly	Avery Sartin	Geo. C. Waggoner
Clarence Miller	Joe Schneider	G. Frank Walthal
Claude D. Minor	Claude B. Smith	E. G. Young

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Upon motion of Mr. L. B. Hamilton the reading of the Journal of yesterday was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Demunbrun:

H. B. 378. An act to repeal and re-enact chapter 11 of the Acts of 1916, and section 3721 of the Kentucky Statutes, relating to the appointment of notaries public.

To the Committee on Revenue and Taxation.

By Mr. Musick:

H. B. 379. An act to amend the public school laws and to provide for the furnishing of free text books to pupils of the

graded schools in cities of the first, second, third and fourth class, and in all graded common school districts.

To the Committee on Education No. 1.

By Mr. A. L. Hamilton.

H. B. 380. An act to amend and re-enact section 30 of chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, and also to repeal and re-enact section 4239d of the Kentucky Statutes, Edition 1915, relating to the duties and compensation of the county clerk in making certification of tax books, making out tax bills and recapitulation sheets.

To the Committee on Public Offices.

By Mr. Johnson:

H. B. 381. An act authorizing and empowering cities of the third class to lease, acquire, build, construct, equip, operate and own a line or lines of street railway within the limits of their corporate boundaries, and to provide the necessary rolling stock therefor, and such switches, turnouts, grounds, buildings, and equipment for power houses and depots, and power that may be necessary in the operation of such street railway line or lines, and to provide for the payment of the costs thereof.

To the Committee on Municipalities.

By Mr. Swope:

H. B. 382. An act to amend and re-enact subsection 9 of section 415b, Kentucky Statutes, Carroll's Edition of 1915, relating to pensions for Confederate soldiers.

To the Committee on Confederate Home.

By Mr. McDonogh:

H. B. 383: An act regulating the trials of policemen and firemen in cities of the first class, and granting them the right of appeal to the circuit court from orders of demotion, suspension or dismissal.

To the Committee on Municipalities.

By Mr. Ryans:

H. B. 384. An act to authorize the appointment of the commanding officer of Camp Zachary Taylor as one of three members of a General Zachary Taylor Memorial Commission who shall collect and expend the necessary funds to make the birth and burial place of General Zachary Taylor a lasting tribute to his memory.

To the Committee on Military Affairs.

By Mr. Meyers:

H. B. 385. An act to regulate the practice of chiropody; to license chiropodists and to punish persons violating the provisions of this act.

To the Committee on Public Health.

By Mr. Gilbert:

H. B. 386. An act regulating the trial of causes in circuit court.

To the Committee on Circuit Courts.

By same:

H. B. 387. An act to abolish the office of Commonwealth's attorney.

To the Committee on Judiciary.

By Mr. J. B. Thomas:

H. B. 388. An act to amend an act entitled an act granting pensions to disabled and indigent soldiers.

To the Committee on Confederate Homes.

By Mr. Lilly:

H. B. 389. An act entitled an act relating to the drainage of lands and to amend and re-enact sections seven, ten, thirty-one, thirty-four, thirty-five and forty-nine of chapter 132 of the Acts of 1912, said chapter being: An act relating to the drainage of lands, the establishment and construction of public ditches, levees, and drains, and the straightening, deepening or otherwise improving public levees, ditches, drains, creeks, or non-navigable streams, prescribing the method of procedure, the assessment and collection of the cost and expense thereof, creating and incorporating boards of drainage commissioners and prescribing the duties and providing for the payment of officers and employes having duties to perform hereunder, which was approved by the Governor, March 19, 1912, and which is now section 2380 of the Kentucky Statutes, and subsections 7, 10, 31, 34, 35 and 49 of said section 2380, being the parts thereof hereby amended, and to validate proceedings heretofore had under said act and said section 2380 of the Kentucky Statutes.

To the Committee on Public Ditches and Fences.

By Mr. Young:

H. B. 390. An act relating to exemptions of household goods and other personal property of a person with a family, and prescribing the duties of the county clerk in relation thereto, and fixing his compensation.

To the Committee on Kentucky Statutes.

By Mr. Howard:

H. B. 391. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes (Carroll's Edition 1915), relating to elections, subhead how conducted; and subsections 7, 13, 14 and 15 of section 1550 of said Statutes, relating to elections, subhead primary elections; declaring who is an "Absent Voter," permitting him to register, and to vote in general primaries and general elections, providing a method therefor, and fixing penalties for a violation thereof.

To the Committee on Suffrage and Elections.

By Mr. Klair:

H. B. 392. An act to repeal and re-enact section 11 of chapter 19 of the Acts of 1916, entitled an act creating the State Insurance Board, to supervise the operation of fire insurance rate making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the powers of the fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire

Marshal, fixing salaries and expenditures and prescribing duties, prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan; empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyds plan, and penalty for violation thereof, and repealing existing statutes.

To the Committee on Municipalities.

By Mr. C. M. Thomas:

H. B. 393. An act to repeal section 4758 of the Kentucky Statutes, and enact in lieu thereof an act to define vagrants and vagrancy and provide punishment therefor.

To the Committee on Criminal Law.

By Mr. Dycus:

H. B. 394. An act proposing an amendment to the Constitution of Kentucky empowering magisterial districts to issue bonds and to levy taxes for construction of public roads and bridges, and providing for an election on said question.

To the Committee on Constitutional Amendments.

Mr. W. H. Jones, representative-elect from the Ninth Legislative District, this day appeared in the House Chamber and qualified as a member of the House of Representatives by taking the oath of office in accordance with the Constitution and laws of the Commonwealth of Kentucky, which oath was administered to him by R. W. Keenon, Clerk of the Court of Appeals.

Mr. Young, of the Committee on Enrollments, reported

that they had examined and found correctly enrolled House resolutions of the following titles, viz.:

H. Res. 6. Joint resolution to investigate the expenditures of the Commonwealth of Kentucky for its public institutions.

H. Res. 13. Resolution employing stenographer to the Chief Clerk of the House of Representatives.

Whereupon all other business was suspended, said resolutions were severally read at length and compared in open house, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session in the presence of the House, affixed his signature to each of said resolutions.

Ordered, that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolutions which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled resolutions, which originated in the House and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. W. J. Bailey was granted an indefinite leave of absence.

Mr. L. B. Hamilton moved that House Bill No. 196 be made a special order for tomorrow morning at eleven o'clock.

Said motion was disagreed to.

Mr. Trusty offered the following resolution, viz.:

Whereas, the Hon. John Polin, of Washington County, former member of the House of Representatives, has joined the National Army and is rendering unselfishly his services to this State and nation; therefore,

Be it resolved, that this House commend our former colleague in his noble undertakings and hold him up as a patriotic example to young America.

Be it further resolved, that a copy of this resolution be spread on the Journal of this House and a copy of it forwarded to Lieutenant Polin, Company A, 333rd Supply, Camp Taylor.

Said resolution was adopted.

The committee to which the same had been referred, and to which the same had been re-committed, reported a bill of the following title, viz.:

H. B. 63. An act to amend and re-enact an act to provide revenue and taxation for roads and bridges for magisterial districts to give people right to vote for revenue to improve roads and bridges in said magisterial districts.

With an amendment thereto by way of substitute therefor.

Mr. Claude M. Thomas, rising to a point of order, made the point that said substitute to House Bill No. 63 is not germane to said bill and subject matter therein and therefore should not be considered as an amendment by way of substitute therefor.

Said point of order was sustained.

Mr. Claude M. Thomas moved that House Bill No. 63 be re-referred to the Committee on Public Roads and Highways.

Said motion was agreed to.

Mr. Claude M. Thomas moved that Mr. Dycus be given consent of the House to introduce said substitute proposed to House Bill No. 63 as an original bill, the same to take its numerical number and that same be referred to the Committee on Constitutional Amendments.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Davis, of the Committee on Geological Survey:

H. B. 262. An act to locate a part of the State line between the States of Kentucky and Virginia, and to provide a commission to establish and mark said line, which is now and for a long period of time has been in dispute.

By Mr. Claude M. Thomas, of the Committee on Agriculture:

H. B. 297. An act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, and fixing the amount of said license, fixing the date of the expiration of the license provided for, and providing the manner for the registering and recording of the breed, name, age, color, sire and dam of the animal to be licensed, and fixing a fee for such registration, and fixing penalties for failure to procure licenses.

By Mr. Murphy, of the Committee on Compensation for Industrial Injuries:

H. B. 64. An act to amend the workmen's compensation act, re-enact sections 7, 16 and 17, to insert seven days in lieu of two weeks.

With an amendment thereto by way of substitute therefor.

By Mr. Caudel, of the Committee on Circuit Courts:

S. B. 11. An act to amend section 965 Kentucky Statutes, relating to circuit courts in the Twelfth Judicial District.

By same:

S. B. 52. An act to amend that part of section 965, Kentucky Statutes, relating to the times for holding circuit courts in certain districts.

By same:

H. B. 279. An act changing the time of holding circuit court in the Twenty-Fourth Judicial District, composed of the counties of Johnson and Martin.

By same:

S. B. 45. An act changing the time for holding the sessions of circuit court in the Ninth Circuit Court District of Kentucky.

By Mr. Phelps, of the Committee on County and City Courts:

H. B. 257. An act to amend section 1072 of the Ken-

tucky Statutes, 1915 Edition, providing for the salary of county judges and the installments in which the same **shall** be paid.

By same:

H. B. 317. An act to repeal an act entitled: An act to incorporate the town of Dunnville in Casey County.

By Mr. Garnett, of the Committee on Cities of the fourth Class:

H. B. 307. An act relating to cities of the fourth class, and providing for an appeal from the findings of the board of city tax supervisors.

By Mr. Bell, of the Committee on Education No. 1:

H. B. 259. An act providing text books for indigent children and fixing the duties of county judges, superintendents of schools, trustees, teachers, supervisors of schools and truant officers.

By Mr. Radcliffe, of the Committee on Insurance, Life and Accident:

H. B. 357. An act relating to loans by insurance companies.

By Mr. Musick, of the Committee on Juvenile Courts and Children's Homes:

H. B. 71. An act providing for a burial fund for persons under and over twelve years of age who die residents of Kentucky owning no property, and providing that the county of the residence of such person shall be liable therefor and the manner in which application may be made for

such fund, and how determined and manner of payment thereof.

By Mr. Beckham, of the Committee on Municipalities:

H. B. 243. An act relating to the office of police judge in cities of the second class in this Commonwealth.

By same:

H. B. 330. An act creating a State Board of Architectural Examiners, providing for the examination and registration of architects, defining their qualifications, regulating the practice of architecture in the State of Kentucky and fixing penalties for violation thereof.

By same:

H. B. 250. An act to provide a system of universal transfers on street railways in counties containing cities of the first class.

By same:

H. B. 171. An act creating and relating to the office of county road engineer in counties containing more than 200,000 population and providing for his term of office, qualification, assistants and compensation, and repealing all laws in conflict herewith.

With an amendment thereto.

By Mr. Phelps, of the Committee on County and City Courts:

H. B. 100. An act for the relief of the worthy blind in the Commonwealth of Kentucky.

By Mr. Beckham, of the Committee on Municipalities:

H. B. 296. An act to repeal sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3188 and 3189 of the Kentucky Statutes and to enact in lieu thereof, sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3187c, 3187d, 3187e, 3187f, 3187g, 3187h, 3187i, 3187j, 3187k, 3188, 3189, 3189a and 3189b, relating to revenue and taxation in cities of the second class.

By same:

H. B. 219. An act to amend and re-enact sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 Edition, being a part of the charter of cities of the second class.

With an amendment thereto.

By same:

H. B. 352. An act entitled an act to amend sections 3486 and 3502 Kentucky Statutes, Carroll's 1915 Edition, relating to cities of the fourth class.

By same:

H. B. 342. An act providing for the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand inhabitants or more, and repealing all laws, or parts of laws, in conflict herewith.

By Mr. Kelly, of the Committee on Public Ditches and Fences:

H. B. 298. An act to amend and re-enact sections 18 and 20 of the acts approved March 7, 1914, entitled: An act relating to the establishment, protecting and building of levees for the public benefit, which appears on page 71 of the Acts

of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessment against lands protected by levees for the purpose of raising money to pay the principal and interest on bonds and other liabilities of the district and levy commissioners which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of land may not be applicable.

By Mr. Moore, of the Committee on Public Offices:

H. B. 287. An act to amend article 1, section 7 thereof, of chapter 120, of an act of the General Assembly of 1893, approved January 13, 1893, relating to the State Inspector and Examiner, which is section 4625, Kentucky Statutes, Carroll's 1915 Edition.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 179. An act to amend and re-enact chapter 126 of the Acts of 1912, being section 4758a of the Kentucky Statutes, entitled: An act to regulate the assignment, sale, pledge, mortgage and other transfer of wages to be earned or paid in the future where a whole or a part of the consideration therefor is a sum of money of less than \$200.00, approved March 18, 1912.

By same:

H. B. 213. An act to allow and permit coal mines and manufacturing plants to operate on Sunday during the war period.

By same:

H. B. 248. An act to amend and extend chapter 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 21, 1902, entitled: An act providing for the establishment and maintenance of free public libraries in cities of the first class (which is also section 2801b, subsection 3 of Kentucky Statutes, edition of Anno Domini one thousand nine hundred and fifteen (A. D. 1915) edited by Hon. John D. Carroll) and to authorize free public libraries of cities of the first class to mortgage property or to issue bonds thereon, and to authorize cities of the first class to guarantee the payment of any bonds issued by the said free public libraries either the principal or interest or both.

By same:

H. B. 322. An act to amend section 1820 of Kentucky Statutes, Carroll's edition, providing for certain distances between ferries, establishment of same in towns and penalty for violation of same, and re-enacting the same.

By Mr. Lasley, of the Committee on Codes of Practice:

H. B. 290. An act to repeal section 281, Carroll's edition of 1913, Criminal Code of Practice of Kentucky.

By Mr. Cropper, of the Committee on Redistricting, Judicial:

H. B. 319. An act to create the Thirty-seventh Judicial District of Kentucky, fixing the time of holding the courts thereof, providing for the appointment of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Twenty-seventh, Twenty-eighth and Thirty-third Judicial Districts, so as to provide for said Thirty-seventh Judicial District, and changing and fixing the time for holding the courts in each of said districts.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Klair moved that the Clerk report the calendar and that the orders of the day be postponed until the committee reports have been completed.

Said motion was agreed to.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 149. An act to amend an act entitled an act to incorporate the Confederate Home and provide for the maintenance thereof. .

H. B. 136. An act to amend chapter 22b, section 415n, subsections 6 and 15 of Carroll's Kentucky Statutes, 1915 edition, entitled an act to repeal and re-enact an act entitled an act granting pensions to indigent and disabled Confederate soldiers, which became a law March 18, 1914.

With an amendment thereto.

H. B. 129. An act to amend section 148, chapter 24 of the Acts of the General Assembly of 1916, approved on the 18th day of March, 1916, providing for the condemning of land for the use of common graded school districts.

With an amendment thereto.

H. B. 191. An act amending sections 73, 75, 177, 185 and repealing and re-enacting section 186 and repealing section 183 of chapter 24 of the Acts of 1916, relative to certification of teachers and also amending sections 2, 16, 51, 207, 121 and 212 of chapter 24, Acts of 1916, and subsection 31, of section 2978a, and subsection 34 of section 3235a and section 3470,

3588 and 3596, Kentucky Statutes, Carroll's edition 1915, changing the age limit for school census enumeration and also amending sections 24 and 177 of chapter 24, acts of 1916, making agriculture a required subject in the common school course after July 1, 1920, and amending section 46, chapter 24, of the Acts of 1916, relative to the qualifications of county superintendents and repealing section 50, chapter 24, Acts of 1916, fixing the salary of county superintendents, by repealing and amending and re-enacting same, and amending section 181, chapter 24, of the Acts of 1916, relative to the State Board of Education granting certificates to graduates of institutions of higher learning whether within or without the State, and repealing and re-enacting sections 78 and 87 of chapter 24, of the Acts of 1916, relating to the change in boundaries of subdistricts and amending section 129 of chapter 24, of the Acts of 1916, relating to the amount of taxes counties may levy for local purposes.

With an amendment thereto.

H. B. 229. An act making elementary domestic science a required subject in the common school course of this Commonwealth on and after July 1st, 1920.

S. B. 43. An act to regulate the admission of attorneys to practice law.

H. B. 95. An act to regulate the descent and distribution of deceased adopted children.

H. B. 72. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same with certain modifications thereof.

H. B. 154. An act to amend section 4464, Kentucky Statutes, relative to attesting by trial judge the transcript of testimony taken by an official stenographic reporter.

H. B. 231. An act to amend and re-enact sections 4329 and 4325, and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's edition of 1915, relating to public roads.

H. B. 9. An act to amend subsection 12, section 3290, chapter 89, of the Kentucky Statutes, relating to the government of third class cities.

H. B. 198. An act relating to the drainage of lands, establishment and construction of public ditches and drains and the straightening, widening, deepening or otherwise improving public ditches, drains, creeks or non-navigable streams, prescribing the method of procedure, the assessment and collection of costs and expenses thereof, creating ditch commissioner and prescribing his duties and compensation and providing for the payment thereof and employes having duties to perform hereunder and providing penalties.

With an amendment thereto.

H. B. 139. An act to amend chapter 71 of the Acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor on March 24, 1916.

H. B. 212. An act to repeal and re-enact section 965, Carroll's edition, Kentucky Statutes, in so far as it relates to the Twenty-ninth Judicial District of Kentucky.

H. B. 261. An act to regulate the time of holding the terms of circuit court in the Twenty-third Judicial District and the terms of such court and declaring an emergency.

H. B. 256. An act to repeal and re-enact subsections 1, 3, 4, 8, 12, 14 and 26 of section 4421-A, of the Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 4421-B of Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 1 of chapter 8 of the Acts of the General Assembly of Kentucky of 1916, relating to the adoption, sale and distribution of school text books in the State of Kentucky, and in the cities of the first, second, third and fourth classes.

With an amendment thereto.

H. B. 199. An act repealing, amending and re-enacting section 215 of the Acts of 1916, chapter 24, and repealing, amending and re-enacting section 216, chapter 24, Acts 1916, and repealing, amending and re-enacting section 217, chapter 24, Acts 1916, of the compulsory attendance law.

H. B. 230. An act to amend section 104, chapter 24, Session Acts of the General Assembly 1916, relating to schools and education, so as to provide adequate pay for teachers in the common schools.

H. B. 204. An act making it unlawful for any parent or guardian within this Commonwealth to refuse to give in the name of any child within school age to the trustee of any school district.

H. B. 221. An act to repeal an act entitled an act to incorporate and establish a public school for colored people in the town of Hawesville, and within a radius of two miles of the court house in said town, approved March 19, 1888, and all amendments thereto.

H. B. 181. An act making it lawful to take certain varieties of fish from streams forming the boundaries be-

tween this State and any other State and from certain navigable streams in this State by seine or net or by hand and providing the necessary regulations therefor and defining the powers and duties of certain officers.

With an amendment thereto.

H. B. 166. An act empowering the State Executive Agent of the Fish and Game Commission to take possession of the mussel shell beds, and sand and gravel beds, lying between the thread of the Ohio river and its northern shore, and authorizing him to lease same, and to regulate the catching of said shells and imposing penalties for violation of the provisions of this act.

H. B. 18. An act providing that eight hours shall constitute and be a day in all contracts for labor and service in the Commonwealth of Kentucky.

H. B. 118. A bill providing that the platforms of all street and interurban railway cars operated in Kentucky must be completely enclosed between November 1st and March 1st of each year.

With an amendment thereto by way of substitute therefor.

H. B. 244. An act amending and re-enacting section 786 of the Kentucky Statutes, Carroll's edition 1909, relating to railroad signals at crossings.

H. B. 175. An act to amend section 1, article 3, chapter 79, of the Acts of the General Assembly of 1914, being an act entitled an act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment of two additional as-

sistant inspectors; to fix the salary of the chief inspector and assistant inspectors of mines; and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this State, which act was approved March 23, 1914.

H. B. 25. An act to amend an act of the General Assembly of the Commonwealth of Kentucky, approved March 12, 1912, and being section 4021a, Kentucky Statutes, Carroll's edition, entitled an act limiting the time in which the enforcement of tax titles and tax liens may be effected; and to provide a limit of time in which tax liens may be enforced, and possession of, or title to, property sold for taxes may be recovered, and in which actions for the quieting of title to lands sold for taxes and the cancellation of tax deeds may be maintained.

H. B. 40. An act to amend and re-enact section 4039 of Kentucky Statutes, edition 1915, relating to the assessment of real estate, or other property, owned by non-residents of the State, or of the county in which such real estate, or interest therein, or other property, is located and providing a penalty for a failure to assess such property as herein provided.

H. B. 88. An act concerning the annual statements, reports and returns of railway companies or railway corporations now required to be made and delivered to the Auditor of Public Accounts and the Railroad Commission, respectively, under certain provisions of the Kentucky Statutes (Carroll's edition).

S. B. 57. An act to amend and re-enact subsection 10 of section 12 of chapter 1, of the Acts of the extraordinary session of the General Assembly of 1917, relating to the conference of the county tax assessors.

H. B. 39. An act relating to the payment of poll tax where the taxpayer assesses no property subject to taxation.

H. B. 164. An act to amend and re-enact chapter 9 of the Acts of the extraordinary session of the General Assembly of 1917, which act imposes a license or franchise on any person, firm, corporation or association engaged in the production of crude petroleum in this State, and authorizing county officials to impose such tax for roads, schools and county purposes; providing methods of determining the amount of tax due and prescribing the manner of payment of State tax and imposing penalties for the violation of the act.

H. B. 138. An act to abolish the assessor's office and to provide in lieu thereof a county tax commission; prescribing the duties and qualifications of the county tax commission, and the duties of taxpayers in relation thereto.

With an amendment thereto.

H. B. 32. An act to amend and re-enact sections 3374 and 3379, Kentucky Statutes, Carroll's edition of 1915.

S. B. 84. An act dividing the Commonwealth of Kentucky into Thirty-eight Senatorial Districts.

H. B. 218. An act to amend subsection one of section six of chapter four of the Acts of the General Assembly of Kentucky of 1908, which chapter four is an act entitled an act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof.

H. B. 133. An act in relation to advertisements concerning venereal diseases and sale of remedies therefor.

With an amendment thereto by way of substitute therefor.

S. B. 28. An act to amend and re-enact section 2248, Kentucky Statutes.

H. B. 69. An act to amend section 2119 of article 2 of chapter 66 of the Kentucky Statutes relating to actions for divorce and the duties and fees of county attorneys in respect thereto.

With an amendment thereto.

H. B. 223. An act to amend an act entitled an act to amend the school laws and to create boards of education and to define their duties in cities of the first class, which was approved March 4, 1910.

H. B. 134. An act to amend section 2755, Kentucky Statutes, Carroll's edition 1915, concerning the subject of weights and measures of the cities of the first class.

H. B. 251. An act authorizing the fiscal court of counties containing a population of over two hundred thousand (200,000) wherein there is located a city of the first class to contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools of said city and for the purpose of enabling the said fiscal court to appropriate a sum of money annually for the maintenance and support of such library payable out of the county levy funds in its hands.

H. B. 211. An act concerning loan and investment companies in cities of the first and second class, defining same and providing for the incorporation, powers, supervision and control of such companies.

S. B. 61. An act to prohibit the shipment and delivery

of intoxicating liquors in local option territory, and prohibiting any person in such territory from receiving such liquors, prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

With an amendment thereto.

H. B. 216. An act to amend section 3490, Kentucky Statutes, Carroll's edition 1915, being an act entitled an act to amend an act entitled an act for the government of cities of the fourth class, approved March 19, 1912, and being a part of charters of cities of the fourth class be, and the same is, amended by adding subsection 36.

H. B. 255. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles and were ordered to be placed in the orders of the day.

Mr. Moore moved that House Bill No. 354 be referred to the Committee on Constitutional Amendments.

Said motion was agreed to.

Mr. Claude M. Thomas, of the Committee on Agriculture, reported bills of the following titles, viz.:

H. B. 355. An act to protect the people of this Commonwealth from fraud in the sale of fruit trees and other nursery products.

H. B. 242. An act to amend section 4821, Kentucky Statutes, Carroll's Edition 1915, relating to weights and measures.

With the expression of opinion that said bills ought not to pass.

The Speaker stated the question: "Shall said bills be given their first reading, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Said bills were refused first reading.

The House took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 16. An act relating to elections, and providing means of special registration for officers and employes of the Commonwealth or of the United States.

Mr. Musick offered the following amendment to said bill, viz.:

Amend by adding after the word "Kentucky" in line two, the word "and ministers of the gospel."

Said amendment was agreed to.

Mr. Musick offered the following amendment to the title of said bill, viz.:

Amend the title of House Bill No. 16 by adding the words "and ministers of the gospel" after the word "employee" in line two of the title.

Mr. Waggoner moved that House Bill No. 16, and amendments thereto, be recommitted to the Committee on Suffrage and Elections with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 111. An act relating to election returns of districts composed of more than one county.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all elections, both primary and general, for district officers in which the district includes more than one county, the votes in the different precincts in each county of such district shall be counted and tabulated by the county election commissioners, as required by law, and they shall make out duplicate certificates of the total number of votes received by each of the candidates for such district office or offices in their county, and not later than five days after such count and tabulation forward one such certificate to the Secretary of State, who shall deliver same to the State Election Commissioners and they shall keep one for a record in the office of the clerk of the county court of the county. It shall be the duty of the State Election Commissioners, to count and tabulate the votes received by the different candidates for such district office or offices as certified to the Secretary of State by the County Election Commissioners in the counties composing such districts and issue certificates of nomination or election to the candidate receiving the highest number of votes in his district for such nomination or election.

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. H. Hager	W. F. Paris
Chas. Ashby	L. B. Hamilton	Lilburn Phelps
B. S. Bailey	B. H. Harris	Luther Pieratt
L. D. Baldauf	David J. Howard	Ote Piper
J. H. Ballard	Joe Huddleston	Richard Radcliffe
W. T. Beckham	A. R. Hudson	H. C. Rice
B. C. Beckmann	Chas. L. Hunter	Avery Sartin
H. V. Bell	J. W. Johnson	Joe Schneider
W. P. Bowman	Leslie P. Jones	Claude B. Smith
J. L. Bradford	W. T. Lasley	R. T. Smith
O. V. Brown	S. D. Laughlin	T. J. Smith
T. L. Caudel	Joseph Lazarus	Thomas Spurrier
H. C. Chappell	J. E. Lilly	Ben Street
Everett Cobb	Harry J. Meyers	John W. Swope
John Cook	Clarence Miller	Claude M. Thomas
W. P. Cropper	Claude D. Minor	Elmore Thomas
James S. Cruse	S. H. Moore	John B. Thomas
J. C. Davis	John T. Murphy	Geo. F. Thompson
A. A. Demunbrun	Ryland C. Musick	J. T. Thornton
Harry Dill	A. J. McCandless	S. G. Thornberry
W. G. Dycus	W. P. McDonogh	W. F. Trusty
J. M. Elliston	S. Lee McGohan	F. C. VanHoose
I. H. Gabbard	H. C. McLellen	Geo. C. Waggoner
Lark Garnett	W. B. O'Bannon	G. Frank Walthal
M. E. Gilbert	T. P. Oliver	E. G. Young

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 150. An act to amend section 3034 of the Kentucky Statutes, Carroll's edition of 1915, concerning the revocation of liquor licenses by the license board in cities of the first class, and regulating appeals in such cases to the circuit court, being part of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3034 of the Kentucky Statutes, Carroll's edition of 1915, concerning the revocation of liquor licenses by the license board of cities of the first class, and regulating appeals in such cases to the circuit court, being part of an act entitled, "An act for the government of cities of the first class," and approved July 1st, 1893, be, and the same is, hereby amended by adding after the words, "may have an appeal to the circuit court," the words, "but the order or decision of the license board shall not be suspended until reversed by the circuit court," so that said section as amended shall read as follows:

§ 3034. Any license granted by said board may be revoked by it, after an open trial, with due notice to the licensee, whenever, in the judgment of said board the licensee has conducted a disorderly house, or violated the law with respect to the sale of liquor, and either party who shall feel aggrieved by the decision of the board may have an appeal to the circuit court, but the order or decision of the license board shall not be suspended until reversed by the circuit court.

§ 2. This act shall take effect from and after its passage.

Mr. McDonogh moved that House Bill No. 150 be re-committed to the Committee on Municipalities with leave to report at any time.

The yeas and nays being required on said motion by Messrs. Baldauf and Radcliffe, were as follows. viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	J. E. Lilly
B. S. Bailey	W. G. Dycus	Harry J. Meyers
J. H. Ballard	J. M. Elliston	W. P. McDonogh
B. C. Beckmann	I. H. Gabbard	T. P. Oliver
H. V. Bell	Lark Garnett	W. F. Paris
W. P. Bowman	W. H. Hager	H. C. Rice
J. L. Bradford	A. L. Hamilton	Lewis Ryans
T. L. Caudel	B. H. Harris	Joe Schneider
H. C. Chappell	Chas. L. Hunter	Claude B. Smith
James S. Cruse	J. W. Johnson	Thomas Spurrier
J. C. Davis	W. F. Klair	Ben Street
A. A. Demunbrun	H. A. Knollmann	Geo. F. Thompson
Harry Dill	M. E. Lee	W. F. Trusty

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Those who voted in the negative were—

Chas. Ashby	W. T. Lasley	Richard Radcliffe
L. D. Baldauf	S. D. Laughlin	Avery Sartin
W. T. Beckham	Joseph Lazarus	R. T. Smith
Everett Cobb	Clarence Miller	T. J. Smith
John Cook	Claude D. Minor	John W. Swope
W. P. Cropper	S. H. Moore	Claude M. Thomas
M. E. Gilbert	Ryland C. Mtsick	Elmore Thomas
L. B. Hamilton	A. J. McCandless	John B. Thomas
David J. Howard	S. Lee McGohan	S. G. Thornberry
Joe Huddleston	H. C. McLellen	F. C. VanHoose
A. R. Hudson	W. B. O'Bannon	Geo. C. Waggoner
Leslie P. Jones	Lilburn Phelps	G. Frank Walthal
W. H. Jones	Luther Pieratt	E. G. Young
Griffin Kelly	Ote Piper	

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And so said motion was disagreed to.

Mr. Waggoner moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Minor offered the following amendment to House Bill No. 150, viz.:

Amend House Bill No. 150 by striking out all of section two of printed bill, which reads as follows: "This act shall take effect from and after its passage."

Said amendment was agreed to.

Mr. Klair moved that House Bill No. 150 and amendments thereto be laid on the table.

The yeas and nays being required on said motion by Messrs. Radcliffe and L. B. Hamilton, were as follows, viz.:

Those who voted in the affirmative were—

J. H. Ballard	J. W. Johnson	T. P. Oliver
B. C. Beckmann	W. F. Klair	H. C. Rice
W. P. Bowman	H. A. Knollmann	Lewis Ryans
W. P. Cropper	M. E. Lee	Joe Schneider
Harry Dill	J. E. Lilly	Claude B. Smith
J. M. Elliston	Harry J. Meyers	Ben Street
W. H. Hager	John T. Murphy	J. T. Thornton
A. L. Hamilton	W. P. McDonogh	W. F. Trusty
Chas. L. Hunter	W. B. O'Bannon	G. Frank Walthal

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Those who voted in the negative were—

Ed. L. Allen	Joe Haddleston	Luther Pieratt
L. D. Baldauf	A. R. Hudson	Ote Piper
W. T. Beckham	Leslie P. Jones	Richard Radcliffe
H. V. Bell	W. H. Jones	Avery Sartin
J. L. Bradford	Griffin Kelly	T. J. Smith
T. L. Caudel	W. T. Lasley	Thomas Spurrier
Everett Cobb	S. D. Laughlin	John W. Swope
John Cook	Joseph Lazarus	Claude M. Thomas
J. C. Davis	Clarence Miller	Elmore Thomas
A. A. Demunbrun	Claude D. Minor	John B. Thomas
H. L. Dixon	S. H. Moore	Geo. F. Thompson
W. G. Dycus	Ryland C. Musick	S. G. Thornberry
Lark Garnett	A. J. McCandless	F. C. VanHoose
M. E. Gilbert	S. Lee McGohan	Geo. C. Waggoner
L. B. Hamilton	H. C. McLellen	E. G. Young
B. H. Harris	W. F. Paris	
David J. Howard	Lilburn Phelps	

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And so said motion was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. P. Bowman	H. C. Chappell
L. D. Baldauf	J. L. Bradford	Everett Cobb
W. T. Beckham	T. L. Caudel	John Cook

J. C. Davis	Joseph Lazarus	R. T. Smith
A. A. Demunbrun	Clarence Miller	T. J. Smith
H. L. Dixon	Claude D. Minor	Thomas Spurrier
Lark Garnett	S. H. Moore	John W. Swope
M. E. Gilbert	Ryland C. Musick	Claude M. Thomas
L. B. Hamilton	A. J. McCandless	Elmore Thomas
B. H. Harris	S. Lee McGohan	John B. Thomas
David J. Howard	H. C. McLellen	Geo. F. Thompson
Joe Huddleston	W. F. Paris	S. G. Thornberry
A. R. Hudson	Lilburn Phelps	F. C. VanHoose
Leslie P. Jones	Luther Pieratt	Geo. C. Waggoner
W. H. Jones	Ote Piper	E. G. Young
W. T. Lasley	Richard Radcliffe	
S. D. Laughlin	Avery Sartin	

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Those who voted in the negative were—

J. H. Ballard	J. W. Johnson	H. C. Rice
B. C. Beckmann	W. F. Klair	Lewis Ryans
H. V. Bell	H. A. Knollmann	Joe Schneider
W. P. Cropper	M. E. Lee	Claude B. Smith
Harry Dill	J. E. Lilly	Ben Street
W. G. Dycus	Harry J. Meyers	J. T. Thornton
J. M. Elliston	John T. Murphy	W. F. Trusty
W. H. Hager	W. P. McDonogh	G. Frank Walthal
A. L. Hamilton	W. B. O'Bannon	
Chas. L. Hunter	T. P. Oliver	

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Resolved, that the title thereof be as aforesaid.

Mr. Radcliffe moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lee moved that this House do now adjourn.

Said motion was disagreed to.

The House then took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 165. • An act to repeal section 1342b of the Kentucky Statutes, Carroll's 1915 edition, and to re-enact same.

Mr. Supprrier moved that House Bill No. 165 be recommitted to the Committee on Alcoholic Liquor Traffic, with leave to report at any time.

Said motion was agreed to.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 15, 1918.

The House was opened with prayer by the Rev. Father O'Dwyer, Pastor of the Catholic Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen
Chas. Ashby
B. S. Bailey
L. D. Baldauf
J. H. Ballard
Robert Bays
H. V. Bell
Leroy Bonta
W. P. Bowman

J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
Everett Cobb
John Cook
W. P. Cropper
James S. Cruse
J. C. Davis

A. A. Demunbrun
Harry Dill
H. L. Dixon
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Laik Garnett
M. E. Gilbert
W. H. Hager

A. L. Hamilton	Claude D. Minor	Claude B. Smith
L. B. Hamilton	S. H. Moore	R. T. Smith
B. H. Harris	John T. Murphy	T. J. Smith
David J. Howard	Ryland C. Musick	Thomas Spurrier
Joe Huddleston	A. J. McCandless	Ben Street
A. R. Hudson	H. C. McGehee	John W. Swope
Chas. L. Hunter	S. Lee McGohan	Claude M. Thomas
J. W. Johnson	H. C. McLellen	Elmore Thomas
Leslie P. Jones	W. B. O'Bannon	John B. Thomas
W. H. Jones	A. J. Oliver	Geo. F. Thompson
Griffin Kelly	T. P. Oliver	J. T. Thornton
W. F. Klair	W. F. Paris	S. G. Thornberry
H. A. Knollmann	Lilburn Phelps	W. F. Trusty
S. D. Laughlin	Luther Pieratt	F. C. VanHoose
Joseph Lazarus	Ote Piper	Geo. C. Waggoner
M. E. Lee	H. C. Rice	G. Frank Walthal
J. E. Lilly	Lewis Ryans	T. R. Welch
Harry J. Meyers	Avery Sartin	W. N. Winn
Clarence Miller	Joe Schneider	E. G. Young

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Upon motion of Mr. L. B. Hamilton the reading of the Journal of yesterday was dispensed with and the Journal approved.

Mr. Klair moved that when this House adjourns today it be to meet again on Monday next, February 18th, 1918, at one-thirty o'clock p. m.

As an amendment to said motion Mr. Waggoner moved that when this House adjourns today it be to meet tomorrow morning at ten o'clock a. m.

Said amendment was disagreed to.

Said motion made by Mr. Klair was agreed to.

Mr. Klair moved that the vote by which said motion was agreed to be reconsidered and said motion lie on the table.

Said motion was agreed to.

Mr. Speaker Crowe announced to the House that it would be impossible for him to attend and preside over the session to be held on Monday next, and that he designated Mr. H. C. Rice to preside as Speaker pro tem on Monday, February 18th, 1918.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. A. J. Oliver:

H. B. 395. An act making it unlawful for attorneys at law, either by themselves or through others, or in any other manner, to solicit employment to act as attorney at law in any capacity whatsoever, and making void all contracts of employment made contrary to this act.

To the Committee on Judiciary.

By Mr. Cropper:

H. B. 396. An act to amend an act entitled an act relating to revenue and taxation.

To the Committee on Revenue and Taxation.

By Mr. Swope:

H. B. 397. An act to prohibit corporations from the practice of law in this Commonwealth.

To the Committee on Judiciary.

By Mr. Kelly:

H. B. 398. An act to amend subsection 15 of Section 331a of the Kentucky Statutes, relating to child labor.

To the Committee on Immigration and Labor.

By same:

H. B. 399. An act to establish a standard of weights and measures; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the sale and use of false weights and measures and weighing and measuring instruments and devices; providing for the inspection of measurement and weighing of goods, commodities, wares, packages and amount of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act; including a State Commissioner of Weights and Measures and his deputy inspectors, sealers of weights and measures and their deputies; defining the powers and duties of such officers; making an appropriation to carry this act into effect and to repeal all acts in conflict herewith.

To the Committee on Retrenchment and Reform.

By Mr. L. B. Hamilton:

H. B. 400. An act to repeal and re-enact chapter 67 of the Acts of the General Assembly of 1910, relating to courts of justice.

To the Committee on Circuit Courts.

By Mr. L. P. Jones:

H. B. 401. An act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the maximum weight per car load.

To the Committee on Agriculture.

By same:

H. B. 402. An act to amend subsection 4 of section 331a of Kentucky Statutes, Carroll's Edition 1915, relating to the employment of children.

To the Committee on Immigration and Labor.

By Mr. Spurrier:

H. B. 403. An act to further regulate the operation of coal mines; to provide a more efficient supervision and regulation of such mines.

To the Committee on Appropriations.

By Mr. Lee:

H. B. 404. An act to stimulate the arrest and conviction of any person guilty of violating the laws of this State against attempting to burn and burning property in this State, by allowing and paying a reward to the person or persons securing the arrest, indictment and conviction of any person found guilty of such charge, out of the county levy of the county in which the indictment is returned.

To the Committee on Insurance, Fire and Marine.

By Mr. Beckmann:

H. B. 405. An act to amend section 176 of an act entitled an act providing for the creation and regulation of private corporations, which became a law on April 5, 1893, the same being section 757 of Carroll's Kentucky Statutes, Edition 1915.

To the Committee on Kentucky Statutes.

By Mr. McDonogh:

H. B. 406. An act to provide an automobile for the use of Commonwealth's attorneys of districts containing cities of the first class, and authorizing the fiscal court of counties containing such districts to furnish and provide for the same and for the upkeep of same.

To the Committee on Municipalities.

By Mr. Dixon:

H. B. 407. An act regulating the sale of nursery stock.

To the Committee on Agriculture.

By Mr. Rice:

H. B. 408. An act to prohibit the solicitation of the settlement of claims for personal injuries.

To the Committee on Kentucky Statutes.

By Mr. Bonta:

H. B. 409. An act to amend sections 31, 33, 36 and 42 of the Constitution of the Commonwealth of Kentucky relating

to the Legislature, term of members, time and place of meeting of the General Assembly, number of legislative districts, salary of members and lengths of session.

To the Committee on Constitutional Amendments.

By Mr. Cobb:

H. B. 410. An act to amend section 8 of chapter 72, Acts of 1916, being an act entitled: An act relating to the election, terms, qualifications, salaries and duties of commissioners, to constitute the fiscal court in counties having cities of the first class, and providing for clerks and for payment of salaries and expenses; also providing penalties for failure to perform duties.

To the Committee on Municipalities.

By Mr. Musick:

H. B. 411. An act to amend article 1, section 2 thereof, of chapter 47, of an act of the General Assembly of 1893, approved June 15, 1893, relating to fees, which is section 1721, Kentucky Statutes, Carroll's 1915 Edition.

To the Committee on Judiciary.

By Mr. Beckham:

H. B. 412. An act requiring interurban railway companies operating in this Commonwealth to equip their passenger cars with bundle racks.

To the Committee on Interurban and City Railways.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, namely:

S. B. 68. An act to amend and re-enact section 217 of chapter 24, Acts 1916, of the General Assembly, so as to give magistrates and police courts of this State concurrent jurisdiction with the county courts in violations of the compulsory school law.

To the Committee on County and City Courts.

S. B. 24. An act creating a Budget Commission, prescribing its powers and duties, providing a budget system of appropriations and a method for ascertaining the expenditures of the various departments of the State government; providing for certain reports to be made to the Budget Appropriation Commission and the manner of making the same; providing for the submission to the General Assembly of a budget compiled by the Budget Appropriation Commission and fixing penalties for violation.

To the Committee on Appropriations.

S. B. 16. An act to amend and re-enact section 26 and to repeal section 27 of chapter 137 of the Acts of 1912, entitled an act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith, approved March 19, 1912.

To the Committee on Education No. 1.

A message was received from the Senate announcing that they had passed a bill, with an amendment thereto by way of substitute therefor, which bill originated in the House, entitled:

H. B. 96. An act to amend section 4642, Kentucky Statutes, Carroll's edition 1915, relating to fees of official steno-

graphic reporters in counties having a population of 150,000 or more.

Mr. Klair moved that the House concur in Senate amendment by way of substitute for said bill.

Said motion was agreed to.

Said substitute for House Bill No. 96 proposed thereto by the Senate reads as follows, viz.:

Amend House Bill No. 96 by striking out all words after the enacting clause and in lieu thereof insert the following:

Section 1. That section 4642 of the Kentucky Statutes, Carroll's edition, 1915, be amended by adding to said section the following words:

“Provided, further, that in counties having a population of one hundred and fifty thousand or more, the reporters of the common pleas and chancery branches of said court shall be paid for their services at the rate of eighteen hundred dollars per annum in each calendar year, or a proportionate amount where they serve for less than a year, such salaries to be paid in monthly installments by the fiscal court of the county in which said reporters are appointed, out of the county treasury from money raised for county purposes, and all fees collected by said reporters for services rendered in their respective offices, not exceeding eighteen hundred dollars in any calendar year, shall be paid into the treasury of the county. Said collections shall be made by said reporters who shall settle monthly with the fiscal court of the county and shall pay the amount found by such settlement in their hands respectively immediately into the county treasury until said reporters respectively shall have paid into the treasury during any calendar year the sum of eighteen hundred dollars,

provided the fees collected by such reporters respectively shall equal the sum of eighteen hundred dollars, but in no event shall any of said reporters be required to reimburse the county for sums received from it beyond the amount which said reporters shall have collected in their respective offices during such calendar year, and provided, further, that any fees so collected in excess of eighteen hundred dollars per annum shall be retained by such reporters without accounting to said county therefor. If any such reporters are employed less than a year, they shall be required to account to the county only for so much of the fees collected by them during that time as shall equal the sums paid to them by the county for that time; and if the reporters collect during that time less than the sums so received from the county, then they shall pay to the county only the sums actually received by them.

In computing the fees of reporters, fees for attendance in court and the price of transcripts and depositions which they may make in their capacities as such reporters and which may be filed, shall be included."

Said section when amended will read as follows:

"The fees of said reporters appointed under the provisions of this act, when serving in criminal cases in any of said courts, shall be fixed by the presiding judge thereof, not, however, to exceed five dollars per day for taking stenographic notes, and fifteen cents per one hundred words for the transcript thereof, which fees shall be paid upon the order of the presiding judge of said court, by the county in which said circuit court is situated, if the same is ordered by the court for the use of the Commonwealth's attorney. If the transcript of the notes of said reporter in any criminal case is ordered by the presiding judge upon the motion of the defendant, or his counsel, the defendant shall be required to pay for the same, if, in the opinion of the court, he is able to do so.

If it shall appear that the defendant is not able to pay for such transcript, the court may direct the same to be paid for as heretofore provided, and the same may be recovered at any future time from the defendant; provided, that the amount paid by the county in such cases shall not exceed twelve hundred dollars per annum; provided, however, that in counties having a population of one hundred and fifty thousand or more, the reporter of the criminal branch of the circuit court shall receive a salary to be fixed by the presiding judge of said branch of said court, not exceeding, however, the sum of twenty-five hundred dollars per annum, and shall receive no other compensation from the county for such services; and, provided further, that no part of the fees or salary of said reporter shall be paid by the Commonwealth. The fees of said reporter when serving in civil cases in any of said courts or divisions, shall be fixed by the presiding judge thereof, not, however, to exceed five dollars per day for taking stenographic reports, and fifteen cents per one hundred words for the transcript thereof, which shall be paid forthwith by the party or parties in whose behalf such report or transcript is ordered, and shall be taxed as a part of the costs of the suit or proceeding; provided, however, that said reporter shall not be required to file any of said transcript without payment therefor by the party or parties in whose behalf the same is ordered; provided, however, further, that the presiding judge of said court or division may direct said reporter to file a transcript upon the motion of any party suing in *forma pauperis*; provided, further, that in counties having a population of one hundred and fifty thousand or more, the reporters of the common pleas and chancery branches of said court shall be paid for their services at the rate of eighteen hundred dollars per annum in each calendar year, or a proportionate amount where they serve for less than a year, such salaries to be paid in monthly installments by the fiscal court of the county in which said reporters are appointed,

out of the county treasury from money raised for county purposes, and all fees collected by said reporters for services rendered in their respective offices, not exceeding eighteen hundred dollars in any calendar year, shall be paid into the treasury of the county. Said collections shall be made by said reporters who shall settle monthly with the fiscal court of the county and shall pay the amount found by such settlement in their hands respectively immediately into the county treasury, until said reporters respectively shall have paid into the treasury during any calendar year the sum of eighteen hundred dollars, provided the fees collected by such reporters respectively shall equal the sum of eighteen hundred dollars, but in no event shall any of said reporters be required to reimburse the county for sums received from it beyond the amount which said reporters shall have collected in their respective offices during such calendar year, and provided further, that any fees so collected in excess of eighteen hundred dollars per annum shall be retained by such reporters without accounting to said county therefor. If any such reporters are employed less than a year, they shall be required to account to the county only for so much of the fees collected by them during that time as shall equal the sums paid to them by the county for that time; and if the reporters collect during that time less than the sums so received from the county, then they shall pay to the county only the sums actually received by them.

In computing the fees of reporters, fees for attendance in court and the price of transcripts and depositions which they may make in their capacities as such reporters and which may be filed, shall be included."

Whereas, to provide reasonable compensation for the aforesaid reporters in order to maintain the efficiency of the courts of Jefferson county, an emergency is hereby declared to exist and this act shall take effect on and after its approval by the Governor.

Said amendment to House Bill No. 96 by way of substitute therefor, was then agreed to.

The yeas and nays being taken upon the final passage of House Bill No. 96, as amended by the Senate by way of substitute therefor, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. H. Hager	H. C. McLellen
Chas. Ashby	A. L. Hamilton	A. J. Oliver
B. S. Bailey	L. B. Hamilton	T. P. Oliver
L. D. Baldauf	David J. Howard	W. F. Paris
J. H. Ballard	Joe Huddleston	Lilburn Phelps
W. T. Beckham	A. R. Hudson	Luther Pieratt
B. C. Beckmann	Chas. L. Hunter	Ote Piper
H. V. Bell	J. W. Johnson	Richard Radcliffe
Leroy Bonta	Leslie P. Jones	Lewis Ryans
W. P. Bowman	W. H. Jones	Avery Sartin
J. L. Bradford	Griffin Kelly	Joe Schneider
O. V. Brown	W. F. Klair	Claude B. Smith
R. J. Cain	H. A. Knollmann	R. T. Smith
T. L. Caudel	S. D. Laughlin	T. J. Smith
H. C. Chappell	Joseph Lazarus	Thomas Spurrier
Everett Cobb	M. E. Lee	Ben Street
John Cook	J. E. Lilly	Claude M. Thomas
W. P. Cropper	Harry J. Meyers	Elmore Thomas
James S. Cruse	Clarence Miller	John B. Thomas
J. C. Davis	Claude D. Minor	Geo. F. Thompson
A. A. Demunbrun	S. H. Moore	J. T. Thornton
Harry Dill	John T. Murphy	S. G. Thornberry
H. L. Dixon	Ryland C. Musick	F. C. VanHoose
W. G. Dycus	A. J. McCandless	T. R. Welch
F. A. Easterling	W. P. McDonogh	E. G. Young
I. H. Gabbard	H. C. McGehee	
M. E. Gilbert	S. Lee McGohan	

There voted in the negative—

W. F. Trusty

—1

And so said bill, as amended by the Senate by way of substitute therefor, was finally passed.

Mr. Klair moved that the vote by which said bill was finally passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. R. T. Smith called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 18. Resolution regarding the manipulation and control of sales of leaf tobacco in this Commonwealth.

(For said resolution see H. J. Feb. 13, 1918.)

Mr. Klair moved that said resolution be laid on the table.

The yeas and nays on said motion, being required by Messrs. Radcliffe and R. T. Smith, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. A. Demunbrun	W. F. Klair
Chas. Ashby	J. M. Elliston	J. E. Lilly
J. H. Ballard	W. H. Hager	Harry J. Meyers
Robert Bays	A. L. Hamilton	Claude D. Minor
B. C. Beckmann	B. H. Harris	John T. Murphy
W. P. Bowman	David J. Howard	Ryland C. Musick
H. C. Chappell	Chas. L. Hunter	W. P. McDonogh
W. P. Cropper	J. W. Johnson	H. C. McGehee
James S. Cruse	Griffin Kelly	S. Lee McGohan

W. B. O'Bannon	Thomas Spurrier	W. F. Trusty
A. J. Oliver	Ben Street	G. Frank Walthal
T. P. Oliver	John W. Swope	T. R. Welch

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Those who voted in the negative were—

B. S. Bailey	A. R. Hudson	Avery Sartin
L. D. Baldauf	Leslie P. Jones	Joe Schneider
W. T. Beckham	H. A. Knollmann	Claude B. Smith
Leroy Bonta	S. D. Laughlin	R. T. Smith
R. J. Cain	Joseph Lazarus	T. J. Smith
John Cook	Clarence Miller	Claude M. Thomas
J. C. Davis	S. H. Moore	Elmore Thomas
H. L. Dixon	A. J. McCandless	J. T. Thornton
W. G. Dycus	H. C. McLellen	S. G. Thornberry
F. A. Easterling	W. F. Paris	F. C. VanHoose
I. H. Gabbard	Lilburn Phelps	Geo. C. Waggoner
M. E. Gilbert	Luther Pieratt	W. N. Winn
L. B. Hamilton	Ote Piper	E. G. Young
Joe Huddleston	Richard Radcliffe	

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And so said motion was disagreed to.

Mr. Meyers moved that said Resolution No. 18 be printed and referred to the Committee on Agriculture.

Said motion was agreed to.

Mr. Lee moved that the orders of the day be postponed until after the call of, and reports by, the standing committees.

Said motion was agreed to.

The committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Elliston, of the Committee on Appropriations:

H. B. 42. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto, and providing for an annual census of illiterate adult men and women of meager education in the State.

With an amendment thereto.

By Mr. Meyers, of the Committee on Corporate Institutions:

H. B. 311. An act to repeal and re-enact as a substitute therefor section 687, Kentucky Statutes, the same being section 150 of an act entitled an act providing for the creation and regulation of private corporations, which became a law April 5, 1893.

By Mr. Caudel, of the Committee on Circuit Courts:

H. B. 371. An act changing the time of holding circuit court in the Second Judicial District.

By Mr. Brown, of the Committee on Cities of the Fifth and Sixth Class:

H. B. 130. An act regulating the tax of towns of the Sixth Class.

By same:

H. B. 283. An act amending an act entitled an act for the government of cities of the fifth class, approved July 3, 1893.

By Mr. Dill, of the Committee on Immigration and Labor:

H. B. 236. An act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

Said bill was refused its first reading.

By same:

H. B. 97. An act to require the payment of all wages due to an employe who may be discharged.

With an amendment thereto.

By same:

H. B. 340. An act relating to public labor to prevent lockouts, promote industrial peace and to prevent interruption in the production of any article or thing necessary for the comfort and well being of the people of the State of Kentucky.

By same:

H. B. 61. An act to require corporations, firms, partnerships, or any concern employing laborers, when they issue script to their employes, to redeem said script in lawful money at the pay day same is payable under the law to the said employe.

By Mr. Oliver, A. J., of the Committee on Criminal Law:

H. B. 178. An act to amend an act, section 1309 of Kentucky Statutes, Carroll's 1915 edition, relating to carrying concealed deadly weapons.

By Mr. Street, of the Committee on Insurance, Fire and Marine:

H. B. 310. An act to amend sections two, fourteen and nineteen; to repeal and re-enact subsection twenty-one, and subsection twenty-two of section twenty-four, and to amend section twenty-eight of chapter 19 of the Acts of 1916, entitled an act creating the State Insurance Board, to supervise the operation of fire insurance rate making bureaus and providing for their examination, prohibiting rebating and discriminating in fixing and collecting fire insurance rates; requiring companies to maintain and cooperate in maintaining and operating rate making bureaus, requiring inspection and survey of such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the power of fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyds plan, and penalty for violation thereof, and repealing existing statutes, and to make sections fourteen and nineteen of said act applicable to stock casualty insurance companies and their agents.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 327. An act to establish an athletic board of control and prescribing the duties and power of same and to license and regulate the giving or holding of sparring contests or exhibitions in this State, providing for the payment of a tax and licenses, and prohibiting the sale of intoxicating liquors on the premises where any boxing exhibition is held, and prohibiting any betting or gaming at any such contest and providing for penalty for violation of this act.

By same:

H. B. 331. An act to amend section 561 of the Kentucky Statutes, Carroll's edition of 1915, providing for the termination of existence of corporations and how the same may be effected.

By same:

H. B. 333. An act to amend section 15 of an act entitled an act concerning laws, and entitled "Laws," which was approved March 23, 1893, and which now constitutes section 2432 of the Kentucky Statutes, Carroll's edition of 1915.

The foregoing bills, excepting House Bill No. 236, were severally read the first time at length and ordered to be placed in the calendar.

Mr. Leslie P. Jones moved that the session of today be extended indefinitely.

Said motion was disagreed to.

Mr. T. P. Oliver indicated the hour of adjournment.

And then the House, at one-thirty p. m., in accordance with a motion made and agreed to, adjourned to meet again on Monday next, February 18th, 1918, at one-thirty o'clock p. m.

MONDAY, FEBRUARY 18, 1918.

The House was opened with prayer by the Rev. John J. Gravatt, pastor of the Episcopal Church, of Frankfort, Ky.

Pursuant to notification by Mr. Speaker Crowe, on Friday, February 15th, designating a Speaker pro tem to preside during his absence, Mr. H. C. Rice presided as Speaker pro tem of the House.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Chas. Ashby	A. A. Demunbrun	H. A. Knollmann
B. S. Bailey	H. L. Dixon	W. T. Lasley
L. D. Baldauf	W. G. Dycus	S. D. Laughlin
J. H. Ballard	F. A. Easterling	Joseph Lazarus
Robert Bays	L. L. Embry	M. E. Lee
W. T. Beckham	I. H. Gabbard	J. E. Lilly
H. V. Bell	Lark Garnett	Harry J. Meyers
Leroy Bonta	M. E. Gilbert	Clarence Miller
W. P. Bowman	W. H. Hager	Ryland C. Musick
J. L. Bradford	A. L. Hamilton	A. J. McCandless
O. V. Brown	L. B. Hamilton	W. P. McDonogh
R. J. Cain	B. H. Harris	H. C. McGehee
T. L. Caudel	David J. Howard	H. C. McLellen
H. C. Chappell	Joe Huddleston	W. B. O'Bannon
Everett Cobb	A. R. Hudson	A. J. Oliver
John Cook	J. W. Johnson	T. P. Oliver
A. S. Cooper	Leslie P. Jones	W. F. Paris
Fred Cornelius	W. H. Jones	Luther Pieratt
J. C. Davis	Griffin Kelly	Richard Radcliffe

H. C. Rice	John W. Swope	Geo. C. Waggoner
Lewis Ryans	Claude M. Thomas	G. Frank Walthal
Avery Sartin	Elmore Thomas	T. R. Welch
Claude B. Smith	Geo. F. Thompson	W. N. Winn
R. T. Smith	S. G. Thornberry	E. G. Young
T. J. Smith	J. Wood Vance	
Ben Street	F. C. VanHoose	—76

Upon motion of Mr. McLellen the reading of the Journal of Friday's proceedings was dispensed with and the Journal approved.

The House then took up for consideration the unfinished business of Friday last, namely, the call of committees for reports.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. L. P. Jones, of the Committee on Public Libraries:

S. B. 63. An act to amend section 1632 of the Kentucky Statutes, 1915 Edition, compiled by the Hon. John D. Carroll, relating to rebinding and transcribing of books of records in counties having no official indexer.

By Mr. Thornberry, of the Committee on Retrenchment and Reform:

H. B. 313. An act to repeal and re-enact section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and setting out more clearly the duty of the county court clerk in issuing marriage license.

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 85. An act relating to revenue and taxation and amending section 4148, chapter 108 of the Kentucky Statutes, Carroll's Edition, article VII, providing when State, county and district taxes shall be due and payable and providing for interest and penalty as they shall become due.

With an amendment thereto by way of substitute therefor.

By Mr. Spurrier, of the Committee on Redistricting, Legislative:

H. B. 38. An act dividing Kentucky into one hundred Legislative Districts.

By Mr. C. M. Thomas, of the Committee on Agriculture:

H. B. 349. An act relating to dogs; the promotion of live stock industries, and the protection of live stock and poultry from damage by dogs; providing for licensing dogs; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs, providing for listing of dogs by county assessors and penalty for his failure to so list; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, town and township officers and employes, and providing penalties.

With an amendment thereto.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Waggoner moved that Senate Bill No. 61 be made a special order for tomorrow morning at eleven-thirty o'clock.

Said motion was agreed to.

Mr. A. J. Oliver moved that Senate Bill No. 84 be made a special order for Wednesday next, at twelve o'clock, noon.

Said motion was agreed to.

Mr. Bonta moved that House Bill No. 138 be made a special order for tomorrow at twelve-thirty o'clock p. m.

Said motion was agreed to.

Mr. L. B. Hamilton moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Laughlin, of the special committee heretofore appointed to make an investigation of State institutions and State departments and expenditures therefor, offered for said special committee the following report, in writing, which was read at length to the House, and which is as follows, viz.:

Report of Special Joint Committee of House and Senate, to investigate the expenditures of the Commonwealth of Kentucky for its public institutions and State departments.

To the Senate and House of Representatives:

Pursuant to a joint resolution authorizing the President of the Senate and the Speaker of the House of Representatives, to appoint three and five members from their respective branches of the General Assembly to compose a joint Prob- ing Committee of the Offices, Departments, Commission and Agencies of the Commonwealth, with a view to abolishing useless offices and curtailing the expenditures of the State, I

was selected by Lieutenant Governor Black as one of the members from the Senate.

It will be recalled that one day later I automatically became a member of a special joint committee of Senate and House of Representatives, to visit and inspect the Charitable Institutions of the State by reason of my being a member of the Senate Committee on Charitable Institutions, and that that joint committee proceeded immediately to visit all the Charitable Institutions of the State, covering a period of six days. In the meantime members of the Probing Committee were busy going through the various offices, departments, commissions and other agencies of the State collecting data and compiling a report for the Probing Committee.

I here take occasion to compliment those members of the Probing Committee for the evident rapidity and businesslike way in which they have accomplished their purpose. I have carefully gone over the report submitted to the Senate and House of Representatives by the Probing Committee, and it seems to be exhaustive and so far as I know correct, but as I was not present at any of the investigations I can neither approve nor disapprove.

To claim honor or any other compensation for a service I did not perform is against the spirit of the report itself, so I therefore disclaim any honor for any part of the services rendered in preparing the Committee's report; and submit this explanation of my not signing the report.

ROBERT ANTLE.

REPORT OF THE PROBE COMMITTEE.

To the General Assembly of the Commonwealth of Kentucky:

The Probe Committee has undertaken to faithfully discharge the duty under Joint Resolution 6. On an examination of the Kentucky Statutes we find in existence two classes of officers. The salary of the incumbent of one of these and the expenses are paid by the business or industry

for which the office was created. In such instances the incumbent is in fact serving in a dual capacity—representing the business or industry, which is willing to and does pay the salary and expenses and at the same time such incumbent serves the State. The Fish and Game Commission is an example of this class. The other class includes the Treasurer, Auditor and others, in which they and their expenses are paid exclusively by the State. We further find that the officers, boards and commissions hereinafter named may be abolished at any time by an act of this General Assembly; that the incumbents have no contract, vested or property rights to their respective offices. However, it is the sense of this Committee that the incumbents have the semblance of an equitable right to the unexpired terms of their respective offices. In arriving at this conclusion we have, more or less, been guided by a well recognized statutory law, namely: “No person appointed to an office shall be removed therefrom during the term for which he was appointed, unless for failure to discharge, or neglect in the performance of, the duties of his office, and unless notified in writing of the cause of his removal and the time and place to appear and defend his rights.”

The wisdom and justice of this rule has been established by both time and experience. It has been approved by both Federal and State enactments, prescribing it as a rule of procedure in actions for the removal from office.

A law authorizing or permitting the removal from office, either with or without notice and trial, of an honest, efficient and faithful officer who is guilty of no wrong, would not be tolerated under our form of government. In proceedings to remove one from office, whether instituted in a court of justice or before the appointive authority clothed, by law, with power to remove from office, the incumbent's rights to the office as well as the interests of the State are, and of right should be, considered and jealously guarded and protected. No arbitrary or destructive blow should be dealt by the authority authorized to remove an officer or to abolish an office,

to the one any more than to the other, or with less consideration for the one than the other, unless extraordinary and extreme conditions exist or compel it.

When exercising the power to abolish an office, we maintain that the General Assembly should be guided and controlled by some of the rules, and by the same sense of justice and fair dealing with which it has, by its prior enactments, safeguarded the rights of the office holder and the general welfare of the State in proceedings to remove an officer from his office. The abolition of an office is, ipso facto, a removal from office. If the officer is efficient, honest, diligent and faithful, the Legislature should be as mindful and as considerate and as cautious to guard and protect his rights as it has required the courts to be in any proceeding to remove an incumbent from office.

Moreover, the men who are at the heads of these commissions and boards, the young men and young ladies who are their assistants, helpers and stenographers, have doubtless made their financial, business and family arrangements to continue in the discharge of the duties of these offices for the full term of four years, the term fixed by law. The Legislature should take this into consideration when proceeding to abolish their offices. The anxiety and the fixed purpose of the incumbents to hold their offices until their terms expire are of course partly due to selfishness and partly due to the law of self-preservation. Hence, when they oppose the abolition of their offices before the expiration of their terms they are not to be condemned too severely, for they are merely manifesting that human nature which all men, more or less, possess.

Conflicting Interests To Be Avoided.

It is easy to create but hard to abolish an office. This is common knowledge. In the creation, the interests of the taxpayers and the general welfare of the State are too often re-

motely considered, or left out of consideration altogether. In the abolition, those whose duty it is to engage in the heroic act are inevitably confronted by strong opponents, viz.: (1) the office holder, his assistants and friends; (2) a set of men who from force of habit oppose everything they do not propose; (3) the political ambition of men who aspire to enjoy the offices in the future; (4) the anti element in the party in power; (5) the narrow-gauged partisans in the opposing political party. It is apparent that in the effort by this General Assembly to abolish the offices hereinafter named, it will be confronted by the seductive and importunate influences of these combined forces. The representative who is big enough and broad enough to raise himself above these, possesses the elements of a patriot and is entitled to the commendation of his constituents.

With these views, and to the end that the purpose desired may be accomplished, and to the end that justice will thereby be done to the present incumbents as well as to the people of the State, this committee begs permission to respectfully recommend that the present General Assembly pass an act containing a provision that at the expiration of the terms of the present incumbents the following offices be abolished and the duties imposed by law thereon be assigned to the offices, boards and commissions as follows:

1. State Insurance Board,

Hotel Inspector,

Abolished.

The duties now and hereafter imposed by law upon these two offices be assigned to the State Insurance Commissioner and the State Board of Health; that is, the sanitary inspection be assigned to the State Board of Health.

2. State Board of Agriculture,

Live Stock Sanitary Board,

Abolished.

The duties thereof to be assigned to and discharged by one Commissioner.

3. Commissioner of Motor Vehicles,
Revenue Agents, Abolished.
The work of these to be done by the State Tax Commission.
4. The Board of Control,
The Prison Commission, Abolished.
The penal and eleemosynary institutions to be placed under the supervision and in charge of a bi-partisan board to be composed of high class citizens—non-partisan business or professional men—three to be members of the dominating party and two to be members of the minority party.
5. The Geological Survey,
The Forestry Board, Abolished.
This work to be done by one head or man, styled the Commissioner of Geology and Forestry. These institutions receive Federal aid and under the Federal law must be treated as separate institutions to get Federal aid.
6. Kentucky Historical Society, Abolished.
The work thereof to be assigned to the State Librarian.
7. The Tuberculosis Commission,
The State Board of Health, Abolished.
The work thereof to be done by the State Board of Health, which must be located by law at the State Capitol.
9. Office of Inspector and Examiner of Schools, Abolished.
The duties thereof to be assigned by law to the State Inspector and Examiner.

(The committee does not make this recommendation on account of the inefficiency or unworthiness or derilection of the incumbents, but does so, solely to economize in the administration of the State's affairs.)

ANNUAL PAYROLL AND EXPENSES OF CERTAIN STATE
DEPARTMENTS.

Group 1.

- a. Commissioner of Insurance.
- b. Insurance Board (or Rating Board).

c.	Fire Marshal.	
d.	Hotel Inspector.	
a.	Commissioner of Insurance—	
	C. F. Thomas, Commissioner	\$3,000.00
	E. Magoffin, Deputy Commissioner	2,000.00
	C. B. Bullock, Actuary	1,700.00
	H. S. Redman, Bookkeeper	1,620.00
	R. R. Gumm, Clerk	1,500.00
	Fannie Eales, Stenographer	1,200.00
	Helen Warren, Stenographer	1,200.00
	J. W. Lancaster, Fire License Clerk	1,500.00
	J. H. Bell, Life and Casualty Clerk	1,380.00
	Sherman Goodpaster, Treasurer	600.00
	Jas. Wilson, Porter (Gen. Ex. Fund)	540.00
	Pierce Holton, Clerk	1,500.00
	W. B. Lindsay, Clerk and Examiner	1,500.00

Total expenditures for fiscal year 1916-17..... \$32,719.60

Mr. Lindsay and Paul Heflin, when employed as examiners, are paid \$15.00 per day by insurance companies unless insolvent; then, they are paid from the Insurance Fund.

b.	Insurance Board—	
	N. O. Gray, Chairman	\$3,000.00
	H. H. Colyer, Member	3,000.00
	C. F. Thomas, Secretary	600.00
	Eli Brown, Attorney	3,000.00
	T. M. Goodloe, Expert	3,000.00
	C. F. McLaughlin, Expert	2,220.00
	H. F. Harris, Clerk	1,500.00
	Noble Harris, Clerk	1,500.00
	E. Demumbrum, Clerk	1,500.00
	Maria Brady, Stenographer	1,200.00
	Stair Montgomery, Clerk	1,500.00
	John Hudson, Porter	60.00

Total expenditures for calendar year 1917...\$25,918.79

c. Fire Marshal—

T. B. Pannell, Fire Marshal	\$3,000.00
E. M. Hite, Deputy	1,500.00
B. F. Thompson, Clerk	1,500.00
Rose Harbeson, Stenographer	1,200.00
Ben Bosworth, Asst. Fire Marshal.....	1,500.00
J. R. Patterson, Asst, Fire Marshal.....	1,500.00
J. L. Hatcher, Asst. Fire Marshal	1,200.00
G. T. Helm, Asst. Fire Marshal	1,500.00
John Fenny, Asst. Fire Marshal	1,200.00
S. C. Henson, Jr., Asst. Fire Marshal	1,400.00
J. R. White, Asst. Fire Marshal	1,200.00
Chas. M. Elliott, Asst. Fire Marshal.....	1,200.00

Total expenditures for calendar year 1917... \$27,873.27

d. Hotel Inspector—

G. H. Kruse, Hotel Inspector	\$2,400.00
L. Smith, Assistant	2,000.00
Jennie McDonald, Clerk	800.00

Total expenditures for fiscal year 1916-17... \$6,705.95

Recapitulation of Group 1.

a. Commissioner of Insurance	\$32,719.60
b. Insurance Board	25,918.79
c. Fire Marshal	27,873.27
d. Hotel Inspector	6,705.95

Total \$93,217.61

By combining the above, the payroll can be largely reduced. This applies especially to the Hotel Inspector's office and the two Insurance Departments.

Group 2.

- a. State Board (or Bureau) of Agriculture.
- b. Live Stock Sanitary Board.

The Board of Agriculture consists of nine members: The Commissioner of Agriculture, the head of the State Experiment Station, and one appointive member from each appellate district. Salary of \$5.00 and expenses, not to exceed seventy-five (75) days per year.

- b. The Live Stock Sanitary Board consists of the Commissioner of Agriculture, the head of the Division of Animal Husbandry at the State Experiment Station, and four members of the State Board of Agriculture. Salary of \$3.00 and expenses for days actually in service. (See Ky. Statutes 63a, Sub. 11.)

There is no practical need of two separate boards for this work and a decrease of expenses can be made without loss of efficiency by combining the two.

Group 3.

- a. Board of Equalization.
- b. Board of Valuation and Assessment.
- c. Revenue Agents.
- d. Tax Commission.
- a. Board of Equalization consists of seven members and three secretaries who receive \$5.00 per diem beginning February 10th and ending June 1st, including all Sundays, holidays, and other days not in session as well as those in session. This Board ceased to exist when the Tax Commission was organized.

Total expenditures for the fiscal year 1916-1917 ...\$6,141.29

- b. Board of Assessment and Valuation consists of Auditor, Treasurer and Secretary of State. No salaries to members, but John L. Rich has been paid \$3,500.00 per year as Special Attorney General in certain franchise cases, and at the same time was paid an additional sum of \$125.00 per month for "extra services" to the Board from 1912 to January 1, 1916.

Total expenditures for 1917.....\$3,500.00

The Tax Commission now performs the work of the Board of Assessment and Valuation.

- c. State Revenue Agents are paid a commission of 20% on collections made by them for the State. The Supervisors of Revenue Agents receive a salary of \$3,000.00 per year.
- d. Tax Commission—

M. M. Logan, Member	\$3,600.00
Robt. L. Greene, Auditor	600.00
J. A. Scott, Member	3,600.00
Ben Marshall, Secretary	2,000.00
Ore Hazelip, Clerk	1,800.00
Mattie Norris, Stenographer	1,200.00
Gates Young, Examiner	2,400.00
W. N. Cook, Examiner	2,400.00
T. R. Jones	2,400.00

Total expenditures Sept. 1, to Dec. 31, 1917... \$7,335.83

Recapitulation of Group 3.

a. Board of Equalization	\$6,141.29
b. Board of Assessment and Valuation	3,500.00
c. Revenue Agents	3,000.00
d. Tax Commission (4 mos.)	7,335.83

Total, 1917 \$19,977.12

The Tax Commission now covers all the above excepting the Revenue Agents, and this should be included, abolishing the office of Supervisor of Revenue Agents.

Group 4.

a. Prison Commission.	
b. Board of Control.	
a. Prison Commission—	
H. B. Hines, Chairman	\$3,000.00
Herbert Carr, Member	3,000.00
F. Tom Hatcher, Member	3,000.00
E. H. Keys, Secretary	1,800.00
Clark Overton, Employment Agent	1,200.00
R. N. Keys	1,200.00

Total expenditures, fiscal year 1916-17..... 17,000.01

b. Board of Control—

Robt. Cook, Chairman	\$2,500.00
J. F. Butts, Member	2,500.00
Dr. A. Dixon, Member	2,500.00
John A. Burton, Member	2,500.00
Geo. B. Caywood, Secretary	1,800.00

Total expenditures, fiscal year 1916-17..... \$13,826.68

Recapitulation of Group 4.

a. Prison Commission	\$17,000.01
b. Board of Control	13,826.68

Total annual expenditures \$30,826.69

The duties of these boards are very similar and could be combined under one board with a reduction of expenses and a gain to the seven institutions under their control.

Group 5.

a. Board of Forestry.

b. Geological Survey.

a. Board of Forestry—

J. E. Barton, Forester	\$2,500.00
Miss M. Daly, Clerk	900.00
J. N. Zoeller, Asst.	900.00
Albert Martin, Asst.	900.00
H. F. Price, Asst.	900.00
Woodson May, Asst.	900.00
J. Frank Ladd, Asst.	900.00
Chas. D. Arnett, Asst.	900.00
H. Hansbrough	900.00
*Otto Hall, per day	2.00
*Thos. Hall, per day	2.00
*Chas. H. Pope, per day	2.00
*Louis Chilton, per day	2.00

Total expenditures for fiscal year 1916-17..... \$16,473.11

*When on actual duty.

b. Geological Survey—

J. B. Hoeing, State Geologist	\$2,500.00
L. M. Sellier, Asst.	1,500.00
F. G. McCay, Asst.	1,200.00
P. G. Russell, Asst.	1,500.00
*A. M. Miller	1,800.00
*James Hodge	1,800.00
*H. M. Crump	1,800.00
*Chas. Butts	2,400.00
*Arthur Lewis	720.00
*Olin Oliver	720.00
*John W. Gumm	1,200.00
Lewis Dunn	60.00
Alice Brunson	60.00
I. N. Cheeley	72.00
Chester Williams	60.00

Recapitulation of Group 5.

a. Board of Forestry	\$16,473.11
b. Geological Survey	16,352.05
Total	<u>\$32,825.16</u>

Group 6.

- a. Librarian.
- b. Library Commission.
- c. Historical Society.

a. Librarian—

F. K. Kavanaugh, Librarian	\$1,800.00
Sarah Mahan, Asst.	1,500.00
Mrs. Haycraft	900.00
Alice Mahan	900.00
H. Wilson, Porter	600.00
G. Fencil	900.00

Total expenditures for 1917 \$6,713.62

*Employed as needed.

b. Library Commission—

F. C. Rawson.....	\$1,500.00
F. M. Floyd.....	960.00
M. Reading.....	720.00
W. D. Buxton.....	480.00

Total Expenditures for 1916-17..... \$6,000.00

c. Historical Society—

Mrs. J. C. Morton.....	\$1,200.00
H. V. McChesney.....	720.00
S. Jackson.....	600.00
Walter F. Brawner	480.00
H. Davis, porter.....	180.00

Total expenditures \$6,303.01

Recapitulation of Group 6.

a. Librarian	\$6,713.62
b. Library Commission.....	6,000.00
c. Historical Society.....	6,303.01

Total \$19,016.63

Group 7.

- a. State Board of Health.
- b. Tuberculosis Commission.

a. Board of Health—

D. J. N. McCormack.....	\$2,400.00
Dr. L. H. South.....	2,400.00
Nell Patterson	600.00
Ada Lewis	600.00
Dr. D. P. Curry	2,400.00
Margaret Roemer	540.00
Dr. E. F. Blackerby	1,800.00
Josie Harmon	900.00

Grace Fox	600.00
Herschel Wright	720.00
Hallie Franklin	480.00
Hinda Potter	360.00
Mrs. A. B. Hauser	360.00
Mayme Sullivan	1,200.00
Geo. Everhardt	420.00
Clyde Howell	120.00
Alice Drane	208.00
H. B. Pritchett	240.00
Evelyn Gardner	900.00

Annual appropriation \$40,000.00

b. Tuberculosis Commission—

W. I. Heizer	\$3,500.00
C. Wilson	900.00
N. Sullivan	540.00
J. Severence	1,200.00
E. E. Hunt	1,200.00
M. Williamson	1,200.00
Henry Davis, porter	120.00

Annual appropriation \$15,000.00

Recapitulation of Group 7.

a. State Board of Health	\$40,000.00
b. Tuberculosis Commission	15,000.00

Total \$55,000.00

Group 8.

- a. State Inspector and Examiner.
- b. Inspector and Examiner of Schools.

a. State Inspector and Examiner.

Nat B. Sewell, Inspector and Examiner.....	\$3,000.00
C. C. Thomas, Asst. Insp. and Ex.....	2,000.00
Nat M. Elliott, Asst. Insp.	1,800.00
L. Lee, Stenographer	900.00
Alvin Steger, Asst. Inspt., per day.....	7.50
D. A. Logan, Examiner, per day	5.00

Total salaries and expenses for 1917..... \$12,264.22

b. Inspector and Examiner of Schools—

V. O. Gilbert, Special Inspector	\$1,500.00
M. F. Pogue, Inspector	1,000.00
J. W. Davis, Inspector	1,000.00
Blossom Pogue, Clerk	1,000.00
Narcia Matthews, Clerk	1,000.00

Total annual expenditures approximately \$9,000.00

There are too many employed and too much expense by this official and his assistants.

Recapitulation of Group 8.

a. State Inspector and Examiner	\$12,264.22
b. Inspector and Examiner of Schools.....	9,000.00

Total expenditures \$21,264.22

These two departments were formerly together, and should be again combined. This work is of the same nature and should not require two sets of examiners and additional clerks. Expenses can easily be reduced over fifty per cent. (50%) on school inspection by requiring the county examiners from the Inspector and Examiner's office to do this work while checking other county officers.

Bureau of School Inspection.

In this report we have commended the work and diligence of the office force proper of the State Superintendent of Schools, but in our opinion, based upon the records examined and facts obtained, the Bureau of School Inspection, nominally under the direction of the State Superintendent, is not entitled to share in this commendation. Though this department is a part of the State Superintendent's office and its expenses are paid from the school fund upon his approval, its headquarters appear to be located variously at Frankfort, Louisville or Princeton as suits the convenience of Inspector Marion F. Pogue, of Princeton, who has actual charge of the work. Two clerks are on the payroll at \$1,000.00 per year each. One of them is Mr. Pogue's daughter, who is married and lives in Louisville. The other is shown upon the State's payroll to live at Princeton, but neither of these clerks does, or has done, any work in the office at Frankfort. Expense accounts of the inspectors have been unreasonably large and the evidences of work done are entirely too scanty. It seems to have been a "private snap" since its establishment in 1912, and those in charge should be required, either to justify its existence within reasonable expenses according to law, or be required to resign. We, therefore, recommend that this department of school inspection be put on probation and that it also be included with other departments requiring special and immediate attention by an Efficiency and Economy Commission.

Confederate Pension Department,

Confederate Record Department,

Abolished.

The work of these departments should be done by the Confederate Pension Department. The work of these departments embraces the same subject matter and should not be done under two heads. The work of these departments can be done by the one without any increase of salaries or clerical force.

Departments That Cost the State Nothing

Banking Department.

Racing Commission.

Fish and Game Commission.

State Board of Dental Examiners.

State Board of Pharmacy.

State Board of Embalmers.

Compensation Board.

Insurance Board.

Fire Marshal's Office.

Hotel Inspector.

We have hereinbefore recommended that this office be given the same treatment in its abolition as is accorded all of the others. In the meantime, we recommend immediate cut down in the salaries or expenses and not again allow the same to exceed the sum allowed by law for these purposes. We found he has indulged in the practice of creating a deficit of a few hundred dollars by expending for salaries and expenses a greater sum than the law allows for these purposes. He should at once abandon this practice and cut salaries or expenses.

*Commissioner of Motor Vehicles and Chauffeurs'
License Board.*

He does not give very much time to his office. The law provides for one Commissioner, one deputy; two members of the license board, and one stenographer. We find one individual whose office is denominated deputy at a salary of \$900.00, and one whose office is denominated porter at a salary of \$600.00. In addition to this the Deputy Commissioner has his wife on the payroll. Not only is the employment of the wife a bad example, but placing on the payroll more people than is allowed by law is worse. These practices should be abandoned at once.

The Secretary of Board of Sinking Fund Commissioners.

There is one annual salary of \$250.00 paid monthly to H. B. Ware, who is an employe on the payroll of the State at an annual salary of \$1,800.00. There is no law allowing the \$250.00 as secretary of the Sinking Fund Commissioners, and it should not be allowed or paid in the absence of law expressly allowing it. We find that this practice has been followed for a quarter of a century, without any law authorizing it. We recommend that a law be enacted authorizing it or stopping it.

Special Assistant Attorney General.

We find that the Attorney General's office is well equipped with splendid lawyers, but there is a law providing for the appointment of Special Attorneys for the State upon the written request of the Attorney General stating that an emergency exists requiring the employment of such attorney. There is no work needed to be done by such attorney which cannot be better done by the Attorney General's office, and the office of Special Assistant Attorney General should be abolished along with the others hereinbefore named.

Fish and Game Warden.

(a) The Fish and Game Commission and its employes are paid by license fees collected from those who enjoy hunting and fishing, and that unless birds and game and fish are protected by the State through some official there will soon be none within the State and there will soon be no occasion for collecting license fees from those who enjoy the sport of pursuing the pleasure of fishing and hunting. As we view it, without this protection by the State of birds, game and fish, no license fees will be collected, for there will be no birds, game or fish; they will become extinct within the State.

Fire Marshal's Office.

The Fire Marshal's office has been given special attention. It is justice to say that the Fire Marshal and his appointees do not cost the State of Kentucky one cent. Their salaries and expenses are paid by the insurance companies under law, in addition to the usual and regular taxes collected from and paid by the insurance companies which the law imposes on them. The Fire Marshal's office and his appointees are derisively denominated "fire-putters-out," notwithstanding the fact they are in reality maintained by the insurance companies doing business in this State. On account of the varied and adverse criticism of these fire-putters-out we have especially investigated the work and the expenses and salaries of these individuals, and we find that the office of Fire Marshal shows an extraordinary effort to do all work efficiently and economically, and to carry out both the letter and the spirit of the law fixing the duties thereof. Their work is to prevent, detect and punish incendiarism, which is not only essential and needed to be done, but of great benefit to the people of the State, as well as insurance companies.

1. The Insurance Commissioner and State Insurance Board.

While we have made the recommendation for the abolition of the State Insurance Board, to take effect at the expiration of their terms of office, we desire to say further that until that time, these offices should not continue to overlook the provisions of the law, which provides: "The offices of said board are fixed in the same offices of those of the Commissioner, and all records kept therein." . . . "The clerical force of said board and said Commissioner shall be jointly employed and their services be used for the work of the said offices."

Manifestly, the purpose of these provisions is to save cost of clerical help and such other cost as is ordinarily in-

cident to separate offices. The Commission and the Rating Board now have separate offices and two independent office forces—in violation of these expressed provisions. Offices large enough, if this be the excuse assigned, should be provided and the law should be complied with, in letter and in spirit, by these officers. However, the work by these officials is efficiently and well done.

Reasons.

We find that the State Insurance Commission, the State Insurance Board, and the Hotel Inspector are in reality engaged, to a limited extent, in the same line of work; that there is no excuse for dividing the work under these heads, and thereby increasing the number of offices and multiplying and duplicating the expenses.

2. Secretary of the State Insurance Board.

The Insurance Commissioner is, by law, the Secretary of the above board and his salary as fixed by law is six hundred dollars a year. The law requires two meetings of the board to be held each month, thus fixing his salary at twenty-five dollars for each semi-monthly meeting. In this behalf, we desire permission to say that either the duties of the Commissioner of Insurance do not require all of his time, or, if they do, he is unable to give any time to the duties of Secretary of the State Insurance Board. We find, on examination, that the minutes of the meeting are not in his handwriting. The Commissioner draws the six hundred dollars a year for the work, and we were informed by those in charge of the records that a Mr. Harris does the work. He too draws a salary of fifteen hundred dollars a year for this and other work. In any event, we think it a bad example for one man to hold two offices at the same time; such leads to extravagance.

3. Attorney for the State Insurance Board.

The duties of this office are so infinitesimal, we have been unable to know with what degree of efficiency they are per-

formed. To say they are supposititious is to describe them with too much accuracy. The law does not require any record to be kept of his official work. This is an injustice to him as well as to the State; an injustice to him, if he should in the future aspire to another office for he would be unable to "stand on his record," and an injustice to his opponent, for he would be at the disadvantage of defeating him "on his record." It is not the fault of the incumbent that this work is so meager, it is the fault of the law.

4. *Conclusion as to the Secretary for and Attorney of State Insurance Board.*

The premises considered, we do not think these two offices are entitled to the charitable doctrine of equitable rights of an efficient officer to retain his office until the expiration of his term. But it is with impatience akin to disgust, we recommend that the office of the Secretary be obliterated, and that the office of Attorney of the State Insurance Board be annihilated, on the basis of the others.

5. The Committee further recommends that this General Assembly pass an act requiring all appointed commissions and boards to reside in the city of Frankfort, Kentucky, during their terms of office; that they and their employes and appointees devote their entire and undivided time to the duties assigned them by law; that no employe or appointee (except for temporary work, which work should require all of his time during the period covered by his temporary appointments or employment) be engaged or permitted to be engaged unless all of his time is required by the work of the office.

6. To the end that the taxpayers may receive the maximum service at the minimum cost, we recommend that the salaries for all heads of departments, boards and commissions, and permanent employes and appointees, be fixed by law and that the present law which allows a lump sum to

each department for expenses proposed be thereby repealed. If not filed by law, the same to be subject to review by an Efficiency and Economy Commission, and to the control of executive orders.

Promiscuous Publications.

A bad and costly habit has grown up in the departments, to have numerous volumes published, explaining the official achievements of the incumbent, under the title of records. This practice has been in vogue for years and grows more and more costly. It should be abandoned and its expense to the taxpayers avoided.

Excepting by the official whose acts are therein exploited, and whose efflorescent and fading glory is therein exquisitely extolled in self-seeing declaration and illuminated with life size photographs, these volumes are never read.

If the Budget Appropriation bill becomes a law, and, if the estimates and reports therein called for, are made in type-writing to the Budget Commission—the form in which they are now in when handed to the Public Printer—thousands and thousands of dollars will thus be saved to the taxpayers. This source of extravagance and waste should be under the powers of Efficiency and Economy Commission. Executive Orders—these powers should be exercised with vigor.

Nepotism.

We find that this political offense is being committed by but few of the departments. In these, we have not found that any discrimination in the work or in the salary has been made in favor of the relative employed, except in one instance. In this department we find that the head thereof has his daughter on the payroll of the State at a salary of one hundred and twenty-five dollars a month, or fifteen hundred dollars a year, that his report to the State Inspector and Examiner shows this daughter only works four and one-half or

five hours a day; that this report in this respect is not correct; that in truth this young lady attends school and only does some work after school hours; that no regular duty is assigned to her; that in the same department the other young lady stenographers who devote their entire time to their work are on the payroll at one hundred dollars a month, or twelve hundred dollars a year. We allude to the Secretary of State's office.

The State Inspector and Examiner.

The State of Kentucky and her magnanimous citizenry, are deeply indebted to the energetic, diligent, capable and just men who are in this office. The untrammelled course which they pursue and the system which they have inaugurated and put into operation save the taxpayers of the State thousands of dollars annually, notwithstanding the insufficiency and imperfection of the law, vesting the office with the power to enforce well matured and ample regulations and methods for handling the affairs of the State, which this office has so often in the past urged to be adopted. This office needs a law authorizing and requiring Executive Orders. As it is, public opinion is the only remedy that serves the purpose. Its failure to eradicate the evils and to achieve the needed results proves the necessity for a law authorizing and requiring Executive Orders.

The Lack of Authority.

So long that the memory of man runneth not to the contrary, politics and public opinion have held the Chief Executive of the State morally and politically responsible for the doings and misdoings of the State departments, the heads thereof and their subordinates, when in fact, he has not had any more legal authority to interfere with their conduct and management of their departments than they have had of his official acts. He cannot even require them, or any of them, to comply with, or put into operation, any of the timely, wise

and well-considered recommendations of the State Inspector and Examiner. Strange to say that during all of this time there has been no statutory law authorizing or empowering the Chief Executive to require or to compel any department, or the head thereof, or any subordinate therein, to do or to cease to do, or not to engage in any practices of such departments, or to prescribe any rules or regulations with which to secure for the State maximum services at minimum cost. Time and results have demonstrated that the political party out of power clamors for reforms and a show of the books until it gets its members in office. Then the same old rule is followed, the same old thing is done in the same old way by the party reaching power by such clamors, and the people of the State bear the burden thereof with equanimity and patience.

The Chief Executive should, by law, be empowered and authorized to exercise a general supervision and the power of regulation over the departments, the heads of departments, and their subordinates. The ancient custom of leaving it to politics and public opinion to produce results should not in the future be relied upon. They are not adequate, as the history of every administration shows. To this end, we suggest the creation of an Efficiency and Economy Commission and the issue of Executive Orders.

10. Efficiency and Economy Commission.

We recommend that an act be passed by this General Assembly providing for the creation of an Efficiency and Economy Commission; that this Commission be composed of the State Inspector and Examiner, two Democrats and two Republicans, and that the State Inspector and Examiner be, ex-officio, chairman; that the other members thereon be residents of different sections of the State, over thirty years of age, substantial, reliable and aggressive business or professional men who are not practical politicians; that it be made the duty of this Commission to meet at least once every two

years, upon the call of the chairman, at the city of Frankfort, to diligently inquire into and report to the Governor, the number of employes and appointees engaged in the several departments, the penal and eleemosynary institutions, State Normals, and State University, and of the boards and commissions of the State; the salary paid such employes or appointees and whether they devote all or only a part of their time to their duties, whether their services are needed or required, whether the salary paid each is excessive or inadequate, whether the number engaged is needed or required to do the work, and such other information as in their judgment may lead to a maximum service at a minimum cost; that this Commission be authorized to summon witnesses, to administer oaths, and to hear any evidence which it may deem necessary to carry out the purposes of the act; that no extra salary be paid to the State Inspector and Examiner and no salary whatever to be paid to the other members of the Commission, except their actual necessary expenses incurred in going to, attending and returning from lawfully called meetings of the Commission. That this act be passed with an emergency clause and the first meeting of the Commission be held immediately.

11. *Executive Orders*

We further recommend that this General Assembly by law empower the Governor upon the lodging with him by the State Inspector and Examiner a report of any examination or inspection which he is required by law to make, or upon lodging with him, a written report by the Efficiency and Economy Commission, containing recommendations as to things that should be done and as to things that should not be done, and as to expenses incurred or expenses that should not be incurred by any department, board or commission, employe or appointee whose salary is paid by the State of Kentucky, to issue an executive order addressed to the par-

ies concerned to correct the same and to comply in the future with the recommendations of the Inspector and Examiner and the Efficiency and Economy Commission. That it be further provided that any officer, employe or appointee who fails or refuses to comply with such recommendation be guilty of a misdemeanor and punishable therefor. We recommend that this power embrace the penal and eleemosynary institutions, the State Normals and the University of Kentucky, and all boards and commissions.

12. Custodian's Work and Employes.

We find there are a large number of janitors under the supervision of the Custodian of the Capitol building. In addition to these, we find one janitor for each of the following offices: Secretary of State, Auditor, Superintendent, Adjutant General, Historical Society, two assigned to the Librarian's office, and one in the Insurance Commissioner's office. These janitors apparently are independent of the supervision of the Custodian. There appears to us to be too many employes in this line of work. It appears to us that there is a lack of system and supervision of this multitude of men, that the Custodian does not keep in touch with the work or the men engaged in the work. We recommend a law to require some system in the management of this work, to the end that those people earn their salaries.

General Observation.

(a) State Tax Commission. This office and the heads thereof are overwhelmed with work. The forces are well organized, work hard every day.

(b) Auditor's Office. This office is as well organized as any successful business or financial institution in Kentucky. Every man in it is assigned to his specific work, and with few exceptions work constantly.

(c) The Governor's Office. The Governor may be found at the anvil at any time. The office has two stenographers who are rushed and hard worked every day. In it may be found, from early morning until late evening, ex-Senator Farris, constantly on duty and so managing the office as to make every Kentuckian who visits the office rejoice that he is a Kentuckian, and every one visiting the office who is not a Kentuckian regret his misfortune. In it may be found, on duty at any time, Miss Minnie, one of the hardest worked ladies in the State.

(d) Secretary of State's Office. In it may be found the Secretary, his three assistants and three stenographers, who seem to be waiting for something to do. There appears too many in this office to any ordinary man.

(e) The office of the Superintendent of Public Instruction. There is no indication in this office of any appearance of idle employes or officials, but in this office the wife is employed, which is a bad example.

(f) The Attorney General's Office. To the laymen or the inexperienced it would appear that there are too many appointees in this office, but to the experienced, the men in this office, and their stenographers, are hard worked people and earn every cent of the salary paid to them.

(g) Treasurer's Office. This office is being run in accord with the highest type of business methods, and rendering the State the character of service it is entitled.

(h) Librarian. There is one porter too many on the payroll in this office.

Time Insufficient.

We have endeavored to do our duty. We have not white-sepulchered anybody or anything. We have shown no favors and have labored with malice toward none and good will toward all.

\ We have hurriedly devoted only a limited time to the work assigned to us by the Joint Resolution. In this work we have been rendered all needed assistance by the Governor and all of the heads of the departments. They have not camouflaged. They have been as willing to give to us information as we have been anxious to receive it, leading to the discovery and the prevention of abuses and waste. It is not the fault of any State official that this Committee has not devoted more time to delve more deeply into the affairs of the State and to enable it to report more fully on other matters which would have been investigated if we had sufficient time. The want of time is the only reason this committee has not thoroughly, extensively, and completely investigated the duty, the work, the time given to the work and the pay received for the work of every officer, employe and appointee on the payroll of the State. In our opinion, this should be done even if it serves no other purpose than to apprise the general public of the condition of affairs and to enable the general public to know that the taxpayers are getting a fair deal, honest service and the full benefit of their money.

The law authorizes and empowers the Auditor in the line of his duty and the State Inspector and Examiner, to a limited extent, to exercise inquisitorial powers. These officials are efficient and most faithful to their trust, but their power is so meager and circumscribed by law that the State does not derive the benefits from their work to which it is entitled. As we have said, the law is defective in that there is no authority given to any one to put into operation the recommendation which the State Inspector and Examiner makes. To accomplish this we have suggested the law authorizing Executive Orders. If the Efficiency and Economy Commission is created and if the executive orders are authorized, coupled with the inquisitorial powers vested in the State Inspector and Examiner, the work which this Probe Commit-

tee has been trying to do can be taken up where we have left off and immediate results can be obtained with inestimable satisfaction, if not with benefit to the taxpayers.

No honest and faithful official need to dread an investigation, and dishonest and untrustworthy ones should be investigated and exposed. We are convinced that the officials of this State are honest and faithful to their trust and, like Caesar's wife, above suspicion, but to say they have not erred would be a mistake, but to err is human, and it is not only not dishonesty, it is not even evidence of dishonesty. Whether an extensive and thorough investigation is needed or not, it is best for the officials and for the people that the books be shown and that the heads of the departments and their subordinates and the records which they have made, be inspected and examined and reported on by a bi-partisan Efficiency and Economy Commission. We desire to say with emphasis that if any official whose office is alluded to or omitted in this report, is not satisfied, we will delve deeper into his official acts, if he desires it done, and, if there is any member of the General Assembly not satisfied with the work done by this Committee, and desires any department head or subordinate, or any subject matter or any record of any transaction, investigated, this Committee will cheerfully do so, either in such member's presence or absence, as he may elect, if the branch of the General Assembly of which he is a member, by resolution will notify this Committee of the name of the official and transaction desired to be investigated; provided to do so will not unreasonably deprive the members of this Committee of the privilege of attending the sessions of the General Assembly. To this end, we respectfully ask that this Committee be now discharged upon the filing of this report. This Committee would have given more time and would have investigated more extensively except for the reason that it feels the recommendations herein made, if put into operation, will afford more benefits to the people than an extensive in-

vestigation of minor matters by this Committee. Acting on this view, the Committee has hurriedly reported these recommendations in order to give this General Assembly time to put them into operation, if it desires to do so.

Respectfully,

S. R. GLENN, *Chairman*,

A. J. OLIVER,

BASIL RICHARDSON,

H. C. RICE,

J. S. CRUSE,

S. D. LAUGHLIN.

Mr. Vance moved that the reading of said report be now suspended, that same be spread on the Journal of the House, and one thousand copies be printed for distribution among the members.

As an amendment to said motion, Mr. Klair moved that said report be printed and referred to the proper committee.

Said amendment was agreed to.

Said motion as amended by Mr. Klair was then agreed to.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Harris:

H. B. 413. An act to amend section 1309, Kentucky Statutes.

To the Committee on Criminal Law.

By Mr. Musick:

H. B. 414. An act to amend and re-enact section 29 of chapter 27 of the Acts of the General Assembly of 1916, which is an act to regulate and control fraternal benefit societies.

To the Committee on Insurance, Life and Accident.

By Mr. Davis:

H. B. 415. An act to amend section 110 of the Kentucky Statutes, Carroll's 1915 edition, by adding thereto at the end thereof the clause: "except circuit clerks may practice law in all courts inferior to circuit courts."

To the Committee on Circuit Courts.

By Mr. Klair:

H. B. 416. An act relating to public grounds and buildings, appropriating five thousand dollars for the improvement, care and maintenance of the old and new Capital grounds.

To the Committee on Appropriations.

By Mr. Cook:

H. B. 417. An act to amend section 1213a of the Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 418. An act to amend section 822, chapter 32, Kentucky Statutes, Carroll's edition 1915.

To the Committee on Municipalities.

By Mr. Garnett:

H. B. 419. An act to regulate conducting pool tables, billiard tables and pigeon hole tables outside of incorporated towns.

To the Committee on County and City Courts.

By Mr. Radcliffe:

H. B. 420. An act relating to assessment or co-operative life and accident insurance companies, amending section 681, Kentucky Statutes, 1915 edition, providing license for agents of foreign companies doing business in this State.

To the Committee on Insurance, Life and Accident.

By Mr. Lazarus:

H. B. 421. An act to amend section 1321, Kentucky Statutes, so far as it affects cities of the first, second and third class, and the territory adjacent to U. S. Army Cantonments.

To the Committee on Municipalities.

By same:

H. B. 422. An act authorizing the county assessor in counties containing a city of the first class to purchase an automobile.

To the Committee on Municipalities.

By Mr. McDonogh:

H. B. 423. An act to amend an act entitled an act concerning notaries public, approved March 8th, 1916.

To the Committee on Judiciary.

By same:

H. B. 424. An act to amend and re-enact section 6 of an act entitled an act concerning conveyances, approved March 21st, 1904, and being section 495 of the Kentucky Statutes, Carroll's edition.

To the Committee on Kentucky Statutes.

By Mr. Van Hoose:

H. B. 425. An act relating to circuit judges performing special services.

To the Committee on Circuit Courts.

By same:

H. B. 426. An act relating to workmen's compensation for industrial accidents.

To the Committee on Compensation for Industrial Injuries.

By Mr. Cornelius:

H. B. 427. An act to amend section 1845 of the Kentucky Statutes, Carroll's edition 1915.

To the Committee on Kentucky Statutes.

By Mr. Bonta:

H. B. 428. An act to amend an act approved March 14, 1912, entitled an act to regulate the employment of females in order to safeguard their health.

To the Committee on Public Health.

By Mr. Embry:

H. B. 429. An act to repeal section 2062a of the Kentucky Statutes.

To the Committee on Kentucky Statutes.

By Mr. Lilly:

H. B. 430. An act to amend section 36 of the Constitution of the Commonwealth of Kentucky.

To the Committee on Constitutional Amendments.

By Mr. Howard:

H. B. 431. An act relating to building and loan associations, placing them under the charge of the banking department, and providing for an examination of their property, assets and business by that department.

To the Committee on Banks and Banking.

Mr. Klair moved that this House adjourn at the conclusion of the call of counties for the introduction of bills.

Mr. Vance, by way of an amendment to said motion, moved that this House adjourn at the conclusion of the call of counties for the introduction of bills and resolutions.

Said amendment was agreed to.

Said motion as amended was agreed to.

Mr. Klair moved that the vote by which House Bill No. 27 was refused its first reading be reconsidered.

Said motion was agreed to.

Mr. Gilbert offered the following resolution, viz.:

Whereas, the supply of House Bills Nos. 18, 172 and 231 has been exhausted and great demands are being made for copies of same by the people of the State,

Be it resolved by the House of Representatives:

That one hundred additional copies of each be printed.

Said resolution was disagreed to.

Mr. Phelps offered the following resolution, viz.:

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That a committee of three be appointed by the Speaker of the House to investigate the matter of the cost of printing for the Commonwealth, and particularly that part of the printing for the State which has to do with the publication, in book form, of reports by various heads of departments and others who are required by law to make reports to the Governor or to the General Assembly. Said committee will inquire what number of volumes are printed annually or biennially and the cost thereof, and whether it would be practicable to reduce the number, or size, of such volumes or the expense of printing and binding same.

The committee will report its findings to this House in writing within one week from the adoption of this resolution.

Said resolution was adopted.

Pursuant to and in accordance with said resolution, Mr. Speaker pro tem Rice appointed as such committee Messrs. Phelps, Klair and R. T. Smith.

Mr. Vance offered the following resolution, viz.:

H. Res. 19. Whereas, the American government is called upon to feed and clothe its own people at home and the peoples of our allies, and, -

Whereas, to this end it has become necessary for the government to call upon the people to use less food stuffs and to provide on certain days that certain kinds of food are not to be used at all, and,

Whereas, these rules and regulations are essential to the welfare of the State and Nation, and,

Whereas, the American government has considered these measures so essential to the life of the nation as to declare that the successful prosecution of the war depends, not so much on men and money, as to supply food and clothing for the armies in the field and the women and children at home, and

Whereas, tobacco is not a food stuff and cannot be used to sustain our armies or the armies of allied nations, therefore,

Be it resolved by the House of Representatives, the Senate concurring therein:

That we call upon the President, the Congress and the Food Administrator to take such steps as may be necessary to curtail the acreage and production of tobacco in the tobacco growing districts of the United States.

Section 2. That in order that this resolution may be made effective, the Speaker of this House and President of the Senate, are directed to appoint a committee of two, one from the House and one from the Senate, the two members so

selected to select a third citizen of the Commonwealth of Kentucky to serve with said committee, to confer with and furnish the national government such information that may be necessary to effectually curtail the acreage and production of tobacco in the Commonwealth.

Section 3. That a copy of this resolution be sent to the President of the United States, the Speaker of the House of Representatives, to the President of the Senate, and the Food Administrator, at Washington, D. C.

Mr. Vance moved that the rules be suspended and that said resolution be adopted.

Said motion was disagreed to.

Mr. Klair moved that said resolution be referred to the Committee on Agriculture.

Said motion was disagreed to.

Mr. McGohan was granted an indefinite leave of absence.

And then the House adjourned.

TUESDAY, FEBRUARY 19, 1918.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the First Presbyterian Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

W. J. Bailey
L. D. Baldauf

J. H. Ballard
Robert Bays

W. T. Beckham
B. C. Beckmann

H. V. Bell	David J. Howard	W. B. O'Bannon
W. P. Bowman	Joe Huddleston	T. P. Oliver
J. L. Bradford	A. R. Hudson	W. F. Paris
O. V. Brown	Chas. L. Hunter	Ote Piper
R. J. Cain	J. W. Johnson	H. C. Rice
T. L. Caudel	W. H. Jones	Avery Sartin
H. C. Chappell	Griffin Kelly	Claude B. Smith
John Cook	W. F. Klair	R. T. Smith
Fred Cornelius	H. A. Knollmann	T. J. Smith
W. P. Cropper	S. D. Laughlin	Thomas Spurrier
James S. Cruse	M. E. Lee	John W. Swope
J. C. Davis	J. E. Lilly	Claude M. Thomas
A. A. Demunbrun	Harry J. Meyers	Elmore Thomas
H. L. Dixon	Clarence Miller	John B. Thomas
W. G. Dycus	Claude D. Minor	Geo. F. Thompson
F. A. Easterling	S. H. Moore	S. G. Thornberry
I. H. Gabbard	Ryland C. Musick	F. C. VanHoose
Lark Garnett	A. J. McCandless	G. Frank Walthal
M. E. Gilbert	W. P. McDonogh	T. R. Welch
W. H. Hager	H. C. McGehee	W. N. Winn
A. L. Hamilton	S. Lee McGohan	E. G. Young
B. H. Harris	H. C. McLellen	—71

• Upon motion of Mr. Rice the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Pieratt was granted an indefinite leave of absence.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Kelly:

H. B. 432. An act to provide for placing the property now held by the Kentucky Children's Home Society in the hands of the State Board of Control for Charitable Institu-

tions, and to provide for the maintenance thereof and to repeal all acts or parts of acts in conflict herewith.

To the Committee on Charitable Institutions.

By Mr. McDonogh:

H. B. 433. An act to amend sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll, and to regulate the organization, incorporation, operation and management of building and loan associations, creating the department of building and loan associations in the office of banking commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth.

To the Committee on Banks and Banking.

By Mr. Klair:

H. B. 234. An act to amend and re-enact an act concerning tuberculosis and to provide for the creation of a commission to be known as the Kentucky Board of Tuberculosis Commissioners, to define its powers and to make an appropriation therefor, and to authorize and provide for the establishment of districts consisting of one or more than one county, and to authorize and provide in such district for the location, erection, organization and management of a district sanatorium for the care and treatment of tuberculosis, and authorizing county and district taxation for the purpose of making an appropriation for the purchase of necessary land and construction and equipment of necessary buildings and an annual appropriation for the maintenance of such sanatorium, approved March 18, 1912, this act being section 4111b, chapter

128a, Kentucky Statutes, Carroll's edition 1915; and authorizing representation and taxation of second class cities in tuberculosis districts containing counties where there are second class cities; and further enlarging the powers and duties of the Kentucky Board of Tuberculosis Commissioners and of the Tuberculosis Sanatorium District Board of Trustees.

To the Committee on Appropriations.

By Mr. Vance:

H. B. 435. An act to amend section 4224, Kentucky Statutes, Carroll's edition of 1915, concerning license taxes and the amount of same.

To the Committee on Alcoholic Liquor Traffic.

By same:

H. B. 436. An act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto.

To the Committee on Railroads.

By Mr. Lilly:

H. B. 437. An act to provide for a State flag for the Commonwealth of Kentucky and to prescribe the design thereof.

To the Committee on Public Monuments and Historical Records.

By Mr. Piper:

H. B. 438. An act amending section 1811, Kentucky Statutes, Carroll's 1915 edition, relating to ferries.

To the Committee on Public Utilities.

By Mr. Bays:

H. B. 439. An act to authorize the fiscal courts to fix and regulate ferry charges within their respective counties or making landings therein.

To the Committee on Public Utilities.

By Mr. T. P. Oliver:

H. B. 440. An act to amend chapter 110 of the Kentucky Statutes, Carroll's edition of 1915, being section 4356o and sections 4356p, 4356q, 4356r, and re-enact said chapter as a whole, except said sections which are repealed and the repealed sections and parts of sections omitted and the following enacted in lieu thereof, said chapter 110 being an act entitled an act relating to roads and passways.

To the Committee on Public Roads and Highways.

Mr. L. B. Hamilton offered the following resolution, viz.:

H. Res. 20. Resolution authorizing Sinking Fund Commissioners to acquire land and method of payment.

Whereas, the owners of the land on the hill southeast of the Capitol building are proposing to erect buildings thereon that will deteriorate from the beauty and use of the surrounding grounds of the Capitol, and,

Whereas, the Commonwealth of Kentucky, in order to maintain the beauty of the Capitol building and its surroundings, should own said grounds, therefore,

Be it resolved by the General Assembly of the the Commonwealth of Kentucky:

That the Board of Sinking Fund Commissioners is hereby authorized to purchase such of said grounds as may be necessary to maintain the approaches to the Capitol, and to add to the usefulness and beauty of the Capitol building and its surroundings.

Section 2. There is hereby appropriated out of the State Treasury, not otherwise appropriated, the sum of \$30,000.00 to be expended by said Commissioners if in their judgment said sum is necessary to purchase said ground.

Ordered that said resolution lie on the Clerk's desk.

Mr. L. B. Hamilton offered the following resolution, viz.:

Whereas, there now appear in the orders of the day about seventy-five bills,

Whereas, the calendar is now full of bills,

Whereas, now this House has passed but few bills this session,

Whereas, there are bills now in the orders of the day and now in the digest that are important to the people of this State,

Be it resolved that this House begin holding two sessions daily, February 19th, 1920, and continue until the session adjourns sine die.

Ordered, that said resolution be referred to the Committee on Rules.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Caudel, of the Committee on Circuit Courts:

H. B. 27. An act enabling the circuit courts of this Commonwealth to provide for the taking of depositions before the master commissioner of the court, or before a commissioner to be appointed by the court, in any equitable action or proceeding now pending or hereafter instituted in any such court, and authorizing such commissioner to hear and determine all questions relative to the introduction and competency of the evidence and to report upon the questions of law and fact made by the pleadings or contained in the order of reference entered by the court in such action or proceeding, and providing for a reasonable allowance to such commissioner for his services.

By Mr. Lasley, of the Committee on Codes of Practice:

H. B. 28. An act to amend subsection 2 of section 552 of the Civil Code of Practice (Carroll's 1913 edition) concerning the taking of proof in equitable and ordinary actions, and providing for the taking of oral testimony in equitable actions and proceedings before the court.

By Mr. Dill, of the Committee on Immigration and Labor:

H. B. 398. An act to amend subsection 15 of section 331a of the Kentucky Statutes, relating to child labor.

By Mr. Howard, of the Committee on Judiciary:

H. B. 376. An act to require all persons, partnerships, incorporated companies and associations in this State, who furnish to the public natural gas, artificial gas, electricity or water for compensation, whenever they charge for the same by metrical computation, to provide and keep in repair the best and most approved meters, and to furnish competent persons, servants, agents and employes to read said meters, and

to compute and report accurately therefrom, the amount of gas, electricity or water used by their several patrons, and to prohibit all such from attempting to collect more than is justly due from any of such customers or patrons, and to provide fines and penalties for the failure to comply with the provisions of this act.

By same:

H. B. 237. An act providing payment of fees for attorneys appointed by judges in criminal cases.

By same:

H. B. 305. An act to amend article 3, section 7 thereof, of chapter 8, of an act of the General Assembly of 1892, approved October 10, 1892, relating to attorneys, which is section 124 of Kentucky Statutes, Carroll's 1915 edition.

By same:

H. B. 306. An act to amend article 4, section 8 thereof, of chapter 8 of an act of the General Assembly of 1892, approved October 10, 1892, relating to attorneys, which is section 133 of Kentucky Statutes, Carroll's 1915 edition.

By same:

H. B. 411. An act to amend article 1, section 2 thereof, of chapter 47 of an act of the General Assembly of 1893, approved June 15, 1893, relating to fees, which is section 1721, Kentucky Statutes, Carroll's 1915 edition.

By same:

H. B. 291. An act to amend and re-enact section 107 Kentucky Statutes, Carroll's edition of 1915, relating to at-

torneys' fees and their liens therefor in the courts of this Commonwealth.

By Mr. Musick, of the Committee on Juvenile Courts and Children's Homes:

H. B. 368. An act to create the office of supervisor of parents, who are charged with wilful desertion or abandonment of indigent children under the age of sixteen years, and to provide for the duties of such supervisor, and provide for the manner in which he is to be appointed and removed from office, and to provide for his compensation, in counties having a population of 200,000 or more.

By Mr. Lee, of the Committee on Military Affairs.

H. B. 384. An act to authorize the appointment of the commanding officer of Camp Zachary Taylor as one of three members of a General Zachary Taylor Memorial Commission, who shall collect and expend the necessary funds to make the birth and burial place of General Zachary Taylor a lasting tribute to his memory.

By Mr. Beckmann, of the Committee on Municipalities:

S. B. 16. An act to amend and re-enact section 26 and to repeal section 27 of chapter 137 of the Acts of 1912, entitled an act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith, approved March 19, 1912.

By same:

H. B. 328. An act to amend section 2055 of the Kentucky Statutes, relating to county health boards, in respect to counties containing cities of the first class.

By Mr. Moore, of the Committee on Public Offices:

H. B. 380. An act to amend and re-enact section 30 of chapter 1 of the Acts of the extraordinary session of the General Assembly of 1917, and also to repeal and re-enact section 4239d of the Kentucky Statutes, edition 1915, relating to the duties and compensation of the county clerk in making certification of tax books, making out tax bills and recapitulation sheets.

Mr Vance moved that Senate Bill No. 6 be taken from the hands of the Committee on Federal Relations, given its first reading and placed in the calendar.

Said motion was agreed to.

By Mr. Vance, of the Committee on Federal Relations:

S. B. 6. An act making it unlawful for any citizen or subject of any nation with which the United States is at war to have fire arms or other explosives in his possession.

By Mr. Rice, of the Committee on State Normal Schools:

S. B. 66. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative to the State Normal School for Colored Persons and amending and re-enacting same.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Bonta, of the Committee on Suffrage and Elections, to which the same had been committed, with leave to report at any time, reported a bill of the following title, viz.:

H. B. 16. An act relating to elections, and providing means of special registration for officers and employes of the Commonwealth or of the United States.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any otherwise qualified voter being or having been an officer or employer of the United States, or of the Commonwealth of Kentucky, may appear before the county court clerk of the county of his residence on the day immediately preceding or day of any primary or general election, and upon making oath or affidavit (either of which the clerk in his discretion may require) to the effect that he was absent from his place of residence on all general or special registration days previously held during the current year, and that his absence was due to or by reason of duties pertaining to such officership or employment in or by the United States or this Commonwealth; whereupon the clerk shall register said voter and deliver to him a registration certificate which shall be valid until the next succeeding general registration provided by law.

§ 2. Such special registration shall be made by the clerk without fee or charge, and if the registration be on the day immediately preceding the election, the clerk shall enter the voter's name in the appropriate place on the registration book. If the registration be on the day of election the clerk of the election shall, upon presentation of the certificate aforesaid, enter the name of the voter in its appropriate place on said registration book.

§ 3. The benefits of this law shall be held to extend to all soldiers and sailors who are at the time of any election otherwise qualified voters in the Commonwealth of Kentucky.

§ 4. Any person making false oath or affidavit under this act shall be deemed guilty of and may be punished for false swearing as now provided for by law.

§ 5. Chapter 68, Session Acts 1912, now embodied in section 1496a, Kentucky Statutes, 1915, and all laws in conflict herewith are hereby repealed.

The Committee on Suffrage and Elections offered the following amendment to said bill, viz.:

Amend House Bill No. 16 by striking out the words "or having been," in line one, section one, and by adding the words "regularly ordained ministers of the gospel and *bona fide* commercial travelers" after the word "Kentucky," in line two, section one, and by adding the words "or his duties as a minister" after the word "Commonwealth," in line nine, section one.

Said amendment was agreed to.

The Committee on Suffrage and Elections offered the following amendment to the title of said bill, viz.:

Amend the title of House Bill No. 16 by adding after the words "United States," in line two of title, the words "Ministers of the gospel and commercial travelers."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. M. Elliston	H. C. McLellen
Chas. Ashby	I. H. Gabbard	W. B. O'Bannon
B. S. Bailey	Lark Garnett	A. J. Oliver
L. D. Baldauf	M. E. Gilbert	T. P. Oliver
J. H. Ballard	W. H. Hager	W. F. Paris
Robert Bays	L. B. Hamilton	Ote Piper
W. T. Beckham	B. H. Harris	Richard Radcliffe
B. C. Beckmann	David J. Howard	H. C. Rice
H. V. Bell	Joe Huddleston	Avery Sartin
Leroy Bonta	A. R. Hudson	Claude B. Smith
W. P. Bowman	Chas. L. Hunter	R. T. Smith
J. L. Bradford	J. W. Johnson	T. J. Smith
O. V. Brown	W. H. Jones	Thomas Spurrier
R. J. Cain	Griffin Kelly	Ben Street
T. L. Caudel	W. F. Klair	John W. Swope
H. C. Chappell	H. A. Knollmann	Claude M. Thomas
Everett Cobb	W. T. Lasley	Elmore Thomas
John Cook	S. D. Laughlin	Geo. F. Thompson
A. S. Cooper	Joseph Lazarus	S. G. Thornberry
Fred Cornelius	M. E. Lee	J. Wood Vance
W. P. Cropper	J. E. Lilly	F. C. VanHoose
James S. Cruse	Harry J. Meyers	Geo. C. Waggoner
J. C. Davis	Claude D. Minor	G. Frank Walthal
A. A. Demunbrun	Ryland C. Musick	T. R. Welch
Harry Dill	A. J. McCandless	W. N. Winn
H. L. Dixon	W. P. McDonogh	E. G. Young
W. G. Dycus	H. C. McGehee	
F. A. Easterling	S. Lee McGohan	

Resolved that the title thereof be as amended.

The hour for the special order having arrived, namely, eleven-thirty a. m., the House took up for consideration a bill of the following title, viz.:

S. B. 61. An act to prohibit the shipment and delivery of intoxicating liquors in local option territory, and prohibiting any person in such territory from receiving such liquors, prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person or persons, individual or corporation, public or private carrier, to bring into, transfer to other person, or persons, corporation, carrier or agent, deliver or distribute, in any county, district, precinct, town or city, where the sale of intoxicating liquors has been prohibited, or may be prohibited, whether by special act of the General Assembly or by vote of the people under the local option law, any spirituous, vinous, malt or other intoxicating liquor, regardless of the name by which it may be called; and this act shall apply to all packages of such intoxicating liquors, whether broken or unbroken. Each package of such intoxicating liquor so bought, transferred or delivered in such territory shall constitute a separate offense.

§ 2. That it shall be unlawful for any person or persons, individual or corporation, in any county, district, precinct, town or city where the sale of intoxicating liquors has been prohibited, or may be prohibited, whether by special act of the General Assembly, or by vote of the people under the local option law, to receive or accept any spirituous, vinous, malt or intoxicating liquor regardless of the name by which it may be called, from a common carrier, or from any other person or

persons, individual or corporation, who has transported such liquor in, or into, such territory for compensation, hire or profit of any kind whatever, either directly or indirectly. Each and every package of said intoxicating liquor so received or accepted in any such territory shall constitute a separate offense.

§ 3. The provisions of the foregoing sections shall not apply to a common carrier transporting such liquor through such territory to a point of destination in some other State or to a point in this State where said liquor may be lawfully sold; nor to the receipt or acceptance by a common carrier of such liquor for transportation to a point in another State, or to a point in this State where the sale of said liquors is not prohibited by law; nor to the receipt or acceptance by a regular licensed druggist who may be authorized to sell such liquors pursuant to the provisions of section 2558 of Kentucky Statutes, Carroll's edition, 1915.

§ 4. That it shall be unlawful for any person, firm or corporation, while representing either the buyer or the seller, to distribute, solicit or receive contracts, proposals or orders for the purchase or sale of any spirituous, vinous, malt or other intoxicating liquors, regardless of the name by which it may be called, or to distribute any handbills or posters advertising the same in any county, district, precinct, town or city within this State where the sale of intoxicating liquors is prohibited, either by special act of the General Assembly or by a vote of the people under the local option law. Each act of distributing, soliciting or receiving contracts, proposals or orders as denounced herein, and each day in which handbills or posters are distributed, shall constitute a separate offense. Provided, the provisions of this section shall not apply to the soliciting of contracts, proposals or orders from regular licensed druggists who are authorized to sell intoxicating liquors pursuant to section 2558 of Kentucky Statutes. Provided, further, that if any section or part of this bill

should be held unconstitutional or invalid, it shall not affect the remainder of said law; and, provided further, the provisions of this act shall not apply to spirituous, vinous or malt liquors used for sacramental, medicinal, scientific or mechanical purposes.

§ 5. That any person, firm or corporation violating any of the provisions of this act shall, upon conviction thereof, be fined in any sum of not less than fifty (\$50.00) dollars nor more than one hundred (100.00) dollars, or imprisonment in the county jail for not less than ten days nor more than fifty days, or both so fined and imprisoned, within the discretion of the court or jury trying the case.

§ 6. All laws or parts of laws in conflict herewith are hereby repealed. Provided, however, the provisions of this act shall not be construed to repeal or modify section 2558 subsections 2 and 3 of section 2559b of Kentucky Statutes in so far as they relate to licensed druggists.

Mr. L. B. Hamilton moved that the special order set for twelve-thirty o'clock be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

The Committee on Alcoholic Liquor Traffic offered the following amendment to Senate Bill No. 61, viz.:

Amend Senate Bill No. 61 by striking out of lines one and two of section three the words "a common carrier transporting" and inserting in lieu thereof the following words, "the transportation of;" and also by adding to the end of said section the following:

"Nor shall they prevent the transportation to a licensed druggist who is engaged in the sale of drugs, or the acceptance by him, of alcohol to be used by said druggist for medicinal or

scientific purposes; nor shall they apply to one, who is not a carrier for hire, taking wine into such territory and delivering the same to an officer of a church to be used for sacramental purposes;" and also by striking from section four, beginning with the word "and," the following: "and provided further, the provisions of this act shall not apply to spirituous, vinous or malt liquors used for sacramental, medicinal, scientific or mechanical purposes," and inserting in lieu thereof the following: "and provided further that nothing herein shall be construed to prevent any distilling or manufacturing company of such liquors or any of their authorized agents from making contracts of barrels or package lots, in any such territory where their distilleries or warehouses are located to be shipped into territory where the sale of such liquors may be lawful, either in or out of the State," and also by striking out the word "or," in line four of section five and inserting in lieu thereof the word "and" and by striking out the following at the end of section five beginning with the word "or," in line five: "or both so fined and imprisoned, within the discretion of the court or jury trying the case."

Said amendment offered by said committee was adopted.

Mr. Dycus offered the following amendment to Senate Bill No. 61, viz.:

Amend section 6 by striking out the following words, beginning in line 3: "subsections 2 and 3 of section 2559b of Kentucky Statutes in so far as they relate to licensed druggists," and insert in lieu thereof the following: "Subsections 2, 3, 5, 6 and 7 of section 2569b of Kentucky Statutes in so far as they relate to licensed druggists."

Said amendment was adopted.

Mr. Waggoner offered the following amendment to Senate Bill No. 61, viz.:

Amend section 1 by adding at the end thereof the following:

“Provided, however, any person may bring into such territory on his person, or as a part of his personal baggage, such liquors for his personal use.”

The yeas and nays being required on said amendment by Messrs Rice and Waggoner, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E. Gilbert	W. F. Paris
Chas. Ashby	L. B. Hamilton	Lilburn Phelps
L. D. Baldauf	B. H. Harris	Ote Piper
Robert Bays	David J. Howard	Richard Radcliffe
W. T. Beckham	A. R. Hudson	Avery Sartin
H. V. Bell	J. W. Johnson	R. T. Smith
Leroy Bonta	Leslie P. Jones	T. J. Smith
W. P. Bowman	W. H. Jones	Thomas Spurrier
J. L. Bradford	Griffin Kelly	John W. Swope
R. J. Cain	S. D. Laughlin	Claude M. Thomas
T. L. Caudel	Joseph Lazarus	Elmore Thomas
H. C. Chappell	Clarence Miller	Geo. F. Thompson
Fred Cornelius	Claude D. Minor	J. Wood Vance
W. P. Cropper	S. H. Moore	F. C. VanHoose
James S. Cruse	A. J. McCandless	Geo. C. Waggoner
J. C. Davis	H. C. McGehee	W. N. Winn
A. A. Demunbrun	H. C. McLellen	E. G. Young
H. L. Dixon	W. B. O'Bannon	
Lark Garnett	A. J. Oliver	

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Those who voted in the negative were—

B. S. Bailey	Everett Cobb	J. M. Elliston
J. H. Ballard	John Cook	I. H. Gabbard
B. C. Beckmann	A. S. Cooper	W. H. Hager
O. V. Brown	W. G. Dycus	A. L. Hamilton

Joe Huddleston	Harry J. Meyers	Claude B. Smith
Chas. L. Hunter	John T. Murphy	Ben Street
W. F. Klair	W. P. McDonogh	J. T. Thornton
H. A. Knollmann	S. Lee McGohan	S. G. Thornberry
W. T. Lasley	T. P. Oliver	G. Frank Walthal
M. E. Lee	H. C. Rice	T. R. Welch
J. E. Lilly	Lewis Ryans	—32

And so said amendment was adopted.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. S. Cooper	Joe Huddleston
Chas. Ashby	Fred Cornelius	A. R. Hudson
L. D. Baldauf	W. P. Cropper	Leslie P. Jones
J. H. Ballard	James S. Cruse	W. H. Jones
Robert Bays	J. C. Davis	Griffin Kelly
W. T. Beckham	A. A. Demunbrun	W. T. Lasley
H. V. Bell	H. L. Dixon	S. D. Laughlin
Leroy Bonta	W. G. Dycus	Joseph Lazarus
W. P. Bowman	F. A. Easterling	M. E. Lee
J. L. Bradford	J. M. Elliston	J. E. Lilly
O. V. Brown	I. H. Gabbard	Clarence Miller
R. J. Cain	Lark Garnett	Claude D. Minor
T. L. Caudel	M. E. Gilbert	S. H. Moore
H. C. Chappell	W. H. Hager	Ryland C. Musick
Everett Cobb	L. B. Hamilton	A. J. McCandless
John Cook	David J. Howard	W. P. McDonogh

H. C. McGehee	Avery Sartin	S. G. Thornberry
S. Lee McGohan	Claude B. Smith	J. Wood Vance
H. C. McLellen	R. T. Smith	F. C. VanHoose
W. B. O'Bannon	T. J. Smith	Geo. C. Waggoner
A. J. Oliver	Thomas Spurrier	G. Frank Walthal
T. P. Oliver	John W. Swope	T. R. Welch
W. F. Paris	Claude M. Thomas	W. N. Winn
Lilburn Phelps	Elmore Thomas	E. G. Young
Richard Radcliffe	Geo. F. Thompson	—74

Those who voted in the negative were—

B. S. Bailey	J. W. Johnson	Harry J. Meyers
B. C. Beckmann	W. F. Klair	John T. Murphy
Chas. L. Hunter	H. A. Knollmann	W. F. Trusty
		—9

Mr. Radcliffe moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Spurrier moved that the special order, namely, House Bill No. 138, be postponed until he could make a motion.

Said motion was agreed to.

Mr. Spurrier moved that the rules be suspended, that House Bill No. 35 be now taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 35. An act to amend and re-enact section 19 of chapter 1 of the Acts of the extraordinary session of the

General Assembly of 1917, relating to the appointment and number of county supervisors.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 19 of chapter 1 of the Acts of the extraordinary session of the General Assembly of 1917, be amended and re-enacted so that it will read as follows:

“The county judge shall, at the January term each year, appoint three or more intelligent, discreet housekeepers and owners of real estate residing in different portions of the county who shall constitute the Board of Supervisors of Tax in their respective counties. In counties containing cities of the first, second, third, fourth, fifth or sixth class, at least one of said supervisors shall be a resident of the largest city in the county. The whole number of supervisors shall not exceed one for each magisterial district in the county. For the present year the county judge may appoint supervisors in addition to those appointed at the January term of this court, but the whole number shall not exceed one for each magisterial district. After having made the appointment of supervisors in any year, the county judge shall immediately forward the names thereof to the State Tax Commission.

§ 2. It appearing that three supervisors in each county cannot perform the work required of the board, an emergency is declared to exist, and this act shall become effective upon its approval by the Governor.”

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title.

Ordered that the yeas and nays, in accordance with the provision of the Constitution, be taken on the passage of said bill.

Mr. Klair moved that the roll call on the passage of said bill be suspended and withdrawn for the purpose of making a motion.

Said motion was agreed to.

Mr. Klair moved that the order directing that said bill be read the third time be reconsidered.

Said motion was agreed to.

Mr. Klair offered the following amendment to the enacting clause of said bill, viz.:

Amend the enacting clause of House Bill No. 35 by striking out of same the following words: "the State of."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
B. S. Bailey

L. D. Baldauf
J. H. Ballard

Robert Bays
W. T. Beckham

H. V. Bell	B. H. Harris	T. P. Oliver
Leroy Bonta	A. R. Hudson	W. F. Paris
W. P. Bowman	Chas. L. Hunter	Lilburn Phelps
J. L. Bradford	J. W. Johnson	Richard Radcliffe
O. V. Brown	W. H. Jones	H. C. Rice
R. J. Cain	Griffin Kelly	Lewis Ryans
T. L. Caudel	W. F. Klair	Avery Sartin
H. C. Chappell	H. A. Knollmann	Claude B. Smith
John Cook	W. T. Lasley	T. J. Smith
A. S. Cooper	S. D. Laughlin	Thomas Spurrier
Fred Cornelius	Joseph Lazarus	Ben Street
W. P. Cropper	M. E. Lee	John W. Swope
James S. Cruse	J. E. Lilly	Claude M. Thomas
J. C. Davis	Harry J. Meyers	Elmore Thomas
A. A. Demunbrun	Claude D. Minor	Geo. F. Thompson
Harry Dill	S. H. Moore	J. T. Thornton
W. G. Dycus	John T. Murphy	W. F. Trusty
J. M. Elliston	Ryland C. Musick	J. Wood Vance
I. H. Gabbard	A. J. McCandless	F. C. VanHoose
Lark Garnett	H. C. McGehee	G. Frank Walthal
W. H. Hager	H. C. McLellen	T. R. Welch
A. L. Hamilton	W. B. O'Bannon	W. N. Winn
L. B. Hamilton	A. J. Oliver	E. G. Young

—75

There voted in the negative—

Joe Huddleston

—1

Resolved that the title thereof be as aforesaid.

The House then took up for consideration a bill which was set for this time as a special order, entitled:

H. B. 138. An act to abolish the assessor's office and to provide in lieu thereof a county tax commission; prescribing the duties and qualifications of the county tax commission, and the duties of taxpayers in relation thereto.

Mr. Klair moved that this House do now resolve itself into a Committee of the Whole on the State of the Commonwealth, for the purpose of considering said House Bill No. 138, section by section.

Said motion was agreed to.

Thereupon the Speaker of the House designated Mr. McDonogh to preside as Chairman of the Committee of the Whole.

Mr. Speaker Crowe vacated the chair.

Mr. McDonogh presided as Chairman of the Committee of the Whole.

After a time Mr. Radcliffe moved that the Committee of the Whole rise and report.

Said motion was agreed to.

Mr. Speaker Crowe resumed the Chair.

Mr. McDonogh, Chairman of the Committee of the Whole, reported progress, and asked that said committee be continued until tomorrow for the further hearing of said bill.

Said report was adopted.

The House was then in order.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz.:

H. B. 96. An act to amend section 4642, Kentucky Statutes, Carroll's edition, 1915, relating to fees of official stenographic reporters in counties having a population of 150,000 or more.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill, which originated in the House, to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bill, which originated in the House, and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Radcliffe moved that this House do now adjourn.

Said motion was agreed to.

And then the House, at 2:30 p. m., adjourned.

WEDNESDAY, FEBRUARY 20, 1918.

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen
Chas. Ashby

L. D. Baldauf
J. H. Ballard

A. L. Baldwin
Robert Bays

W. T. Beckham	A. L. Hamilton	T. P. Oliver
B. C. Beckmann	L. B. Hamilton	W. F. Paris
H. V. Bell	E. C. Hardin	Ote Piper
Leroy Bonta	B. H. Harris	Richard Radcliffe
W. P. Bowman	Joe Huddleston	H. C. Rice
J. L. Bradford	A. R. Hudson	Lewis Ryans
O. V. Brown	J. W. Johnson	Avery Sartin
R. J. Cain	W. H. Jones	Claude B. Smith
T. L. Caudel	Griffin Kelly	R. T. Smith
H. C. Chappell	W. F. Klair	T. J. Smith
Everett Cobb	H. A. Knollmann	Thomas Spurrier
John Cook	S. D. Laughlin	Ben Street
A. S. Cooper	Joseph Lazarus	John W. Swope
Fred Cornelius	M. E. Lee	Claude M. Thomas
W. P. Cropper	J. E. Lilly	Elmore Thomas
James S. Cruse	Harry J. Meyers	John B. Thomas
J. C. Davis	Clarence Miller	Geo. F. Thompson
A. A. Demunbrun	S. H. Moore	J. T. Thornton
Harry Dill	John T. Murphy	W. F. Trusty
H. L. Dixon	Ryland C. Musick	J. Wood Vance
W. G. Dycus	A. J. McCandless	F. C. VanHoose
F. A. Easterling	W. P. McDonogh	Geo. C. Waggoner
I. H. Gabbard	H. C. McGehee	G. Frank Walthal
Lark Garnett	S. Lee McGohan	T. R. Welch
M. E. Gilbert	H. C. McLellen	W. N. Winn
W. H. Hager	W. B. O'Bannon	E. G. Young
J. S. Hall	A. J. Oliver	

On motion of Mr. L. B. Hamilton the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Waggoner moved that immediately after the special order of business is taken up, the committees be called for reports of bills and following the call of committees that the House take up the orders of the day.

As an amendment to said motion Mr. Lee moved that the calendar be read.

Said motion was agreed to.

Said first named motion as amended was then agreed to.

Mr. Radcliffe moved that the House do now resolve itself into a Committee of the Whole on the State of the Commonwealth for the purpose of hearing General M. M. Logan discuss the merits of House Bill No. 138, the unfinished business of yesterday, and for the further purpose of considering said bill in said committee.

Said motion was agreed to.

Mr. Speaker Crowe designated Mr. Caudel to preside as Chairman of said Committee of the Whole.

Mr. Speaker Crowe vacated the chair.

Messrs. Radcliffe and Spurrier were appointed as a committee to notify General Logan that the Committee of the Whole was ready to hear his address.

After a time Mr. Spurrier moved that the Committee of the Whole rise and report.

Said motion was agreed to.

Mr. Speaker Crowe resumed the Chair.

Mr. Caudel, Chairman of the Committee of the Whole, reported that said committee had heard General Logan discuss House Bill No. 138 and further reported progress.

Said report was received and adopted.

The House was then in order.

The House then took up for consideration the unfinished business of yesterday, namely, a bill entitled:

H. B. 138. An act to abolish the assessor's office and to provide in lieu thereof a county tax commission; prescribing the duties and qualifications of the county tax commission, and the duties of taxpayers in relation thereto.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Powers of County Assessor Transferred to the County Tax Commissioner.—The office of county assessor is hereby abolished under the provisions of section 104 of the Constitution and the present incumbents shall be made county tax commissioners, as provided in section 3 immediately thereafter. There are hereby transferred to the State Tax Commission and county tax commissioners all the powers and duties heretofore exercised by, or performed by the county assessors, in so far as such powers and duties are not changed by law. The county tax commissioners and their deputies shall exercise and perform such other powers and duties as may be imposed upon them by law, or by the orders of the State Tax Commission.

§ 2. Election of County Commissioners.—The term of office of such county tax commissioners shall be equal to the term of office of the county assessors, and they shall be elected as assessors are now elected by law, subject to the qualification provided for in this act, except that the county tax commissioners shall be eligible for re-election.

Penalty for Failure to Qualify.—Any person elected a county tax commissioner who shall willfully fail to accept the office and discharge the duties thereof, shall be fined five hun-

dred dollars. Each county tax commissioner herein provided for may, with the approval of the State Tax Commission, appoint as many sober, discreet, capable persons not under the age of twenty-four years, as deputies to assist him to discharge his duties, as the State Tax Commission may deem necessary, and may remove them at his pleasure. The county tax Commissioner and his deputies shall read and administer the oath required to be taken by persons whose property is required to be listed for taxation. The county tax commissioner and his deputies, before they enter upon the duties of the office, shall take the oath prescribed by the Constitution.

Bond.—The county tax commissioner shall, at the same time, execute a bond in the sum of one thousand dollars to the Commonwealth, with good security, to be approved by the county court, for the faithful discharge of the duties of his office, which bond shall be filed in the office of, and kept safely by, the clerk of the county court, and on which the county tax commissioner and his sureties shall be liable for any violation of the duties of his office, by himself or any of his deputies. Action may be instituted on it by the Commonwealth or any person aggrieved, and recovery had thereon, from time to time, to the extent of the injury sustained.

Work to Begin, When.—The county tax commissioner shall commence the duties of his office on the first day of July each year, and he shall assess the property in his county by justices' districts, in separate books, and he shall also make a separate book or books for each incorporate city, town or taxing district of his county, by wards or other subdivisions as convenience may require.

Vacancies, How Filled.—In case any person who was elected county assessor or county tax commissioner shall fail to qualify, or after qualifying as county tax commissioner shall die, resign or be removed from office during his term of office, the vacancy shall be temporarily filled by the county judge until his successor shall have been elected as required by

law. The county tax commissioners herein provided for shall, subject to the direction, instruction and supervision of the State Tax Commission, make the assessment of all property within their counties, except as otherwise provided for, prepare the assessment books and perform such other duties as may be imposed upon them by law. Any county tax commissioner shall be removed from office by the circuit court of the county wherein he was elected, upon petition of the State Tax Commission or any taxpayer for willful disobedience of any just or legal order of the State Tax Commission, or for misfeasance or malfeasance in office, or willful neglect in the discharge of his official duties, but such officer or petitioner shall have the right to appeal to the Court of Appeals.

§ 3. Compensation of County Tax Commissioners.—The county tax commissioner shall, after he has returned his tax book and the same has been corrected by the board of supervisors, present to the county court his account verified by affidavit, stating the total assessed value of the property listed by him as shown by his tax book thus corrected; and if said court, upon investigation, finds said account to be correct, it shall certify to the Auditor the amount due to the county tax commissioner for the services required of him by law, which shall be based on the total value of the assessment made by him as above required, as follows: Five cents on the one hundred dollars of the first million and two cents on each one hundred dollars of the excess over one million, but no county tax commissioner shall be entitled to receive more than four thousand dollars for his services during any year. In counties in which the assessed value of property exceeds thirty-eight million dollars, the county tax commissioners shall be allowed, as compensation to deputies appointed and qualified, the sum of one thousand five hundred dollars for each seven and one-half million dollars of property which may be assessed in excess of thirty-eight million dollars. In counties where the assessment does not exceed one million dollars, the county

tax commissioner shall be paid five cents on the one hundred dollars of the entire property listed.

County Tax Commissioner's Claim to be Verified—Penalty.—Before the county court shall grant such a certificate of allowance, the county tax commissioner and his deputies, if any, shall, in open court, make and file the following affidavit, subscribed and sworn to by them before the clerk of the county court, viz.: "I do swear that I have not received from any person a list of taxable property and returned the same until the person rendering the list has made oath to the truth of the same; and I do further swear that I have, in no instance, assessed any property at a greater or less sum than I deem a fair cash value, estimated at the price it would bring at a fair voluntary sale."

Any county tax commissioner or deputy who shall make affidavit, knowing the same to be false in any particular, shall be deemed guilty of false swearing, and, on conviction, be punished accordingly.

Deduction for Failure to do Duty—Payment of County Tax Commissioner.—A reduction of fifty cents shall be made from the county tax commissioner's compensation for each list he shall fail to report for taxation, or report without authority of law, and one dollar each for each duplicate assessment. The Auditor of Public Accounts shall draw his warrant on the State Treasurer for eighty per cent. of such allowance, and shall draw his warrant on the Treasurer for the remainder due the county tax commissioner, as herein provided, after the December session of the fiscal court, on or before which time the sheriff shall report, on oath, to said court a list of all persons, with their taxable property, so far as known to him, who were omitted by the deputy tax commissioners; also the names of any person duplicated by the deputy tax commissioners. The report of the sheriff shall be certified by the county clerk to the Auditor, that the deduc-

tions may be made from the county tax commissioner's claim as herein provided.

§ 4. Examination of Candidates for the Office of County Tax Commissioner.—Before any person's name shall be placed upon the ballot at any primary or regular election as a candidate for the office of county tax commissioner, he shall hold a certificate from the State Tax Commission that he has been examined by them, and that he is qualified for the office. Within ninety days before any primary or general election at which county tax commissioners are to be elected or nominated, the State Tax Commission shall arrange for examinations to be held to determine the qualifications of persons who may be a candidate for the office of county tax commissioner. Such examinations shall be held in the same manner as examinations are now held for candidates for county school superintendents, and such examinations shall be open to any qualified elector of the State. The examination shall take into consideration the candidate's experience as an assessor, his knowledge of the revenue laws, his knowledge of the geography of the county in which he expects to become a candidate, his knowledge of the industries and property of such county, his elementary training and business experience to fill the office. On the basis of these examinations candidates shall be graded, and no candidate shall be issued a certificate unless he makes a credit of at least seventy-five per cent. The State Tax Commission shall issue to persons passing this examination a certificate of their fitness and qualification to fill the office of county tax commissioner.

§ 5. Time Spent in Office.—The county tax commissioner shall keep his office open for the purpose of assessing property at all reasonable times, except on Sundays and legal holidays, from the first of July to the thirty-first day of December of each year, and it shall be the duty of the taxpayers of the county to appear at said office during said time and to furnish to the county tax commissioner a list of their prop-

erty of all kinds and descriptions that said commissioner is required to assess under the law; provided, however, the county tax commissioner, or one of his deputies, shall on some day during the period of time from the first day of July to the thirty-first day of December visit each justice's district of the county for the purpose of assessing taxpayers' property, and he shall give notice of the time and place where he will appear in said district for the purpose of making said assessments by written or printed notices posted at three or more public places therein for not less than ten days before the day designated for such purpose.

Any taxpayer refusing or failing to appear either at the county tax commissioner's office, or at the place designated in the justices' district above, between the first day of July and the thirty-first day of December in each year, and furnishing to the county tax commissioner a list of his taxable property, together with the value thereof, shall be subject to a fine of not less than fifty dollars nor more than one hundred dollars, to be recovered by warrant, indictment or penal action in any court of competent jurisdiction, and in addition thereto his property may be assessed by the county tax commissioner at an arbitrary value, to be fixed by the county tax commissioner, and there shall be no reduction of said assessment by any county board of supervisors, any other tax official or officer, or by the State Tax Commission.

§ 6. The value fixed and the amount of property assessed by each taxpayer shall be the value and amount fixed as of the first day of July in each year.

§ 7. Office Rooms.—The fiscal court of each county, or whatever body shall take over the powers of the fiscal court in any county, shall provide for the county tax commissioner a suitable office room or rooms, when possible in the county court house, or when that is not possible, in some other building, together with suitable furniture, in which office shall be safely kept the books, maps, taxpayers' lists, papers and all

other records pertaining to the assessment of property within that county, except when such books or records are required by law to be placed in the custody of other officers. The provisions of section 1187 of Carroll's Statutes, edition 1915, are hereby extended to cover these public records.

§ 8. All laws and parts of laws in conflict with this act are hereby repealed.

The Committee on Revenue and Taxation, which committee had said bill under consideration, offered the following amendment to said bill, viz.:

Amend section 3 by striking out all of said section except the section number and "Compensation of county tax Commissioners" and insert in lieu thereof the following:

"The county tax commissioner shall, after he has returned his tax books and the State Tax Commission has passed upon the assessment of property in his county and has certified the total amount at which said county has been assessed to the county board of supervisors, such officer shall present to the county court his account, verified by affidavit, stating the total assessed value of the property listed by him as shown by his tax books, and the county court shall approve and allow fifty per cent of the amount due the county tax commissioner, based upon the certification of the State Tax Commission. When a copy of said order of allowance is presented to the Auditor of Public Accounts, he shall draw his warrant in favor of the county tax commissioner for the amount so certified. When the county board of supervisors has completed its work and has certified to the State Tax Commission the total value of assessed property in the county, the county tax commissioner shall present his account for the balance due him to the county court, which shall be allowed in the manner now provided by law and upon certification to the Auditor of Public Accounts of the balance due, the Auditor shall

draw his warrant payable to the county tax commissioner for the remaining fifty per cent, due for the services required of him by law, which shall be based on the total value of the assessment made by him as above required, as follows: five cents on the one hundred dollars of the first million and two cents on each one hundred dollars of the excess over one million, but no county tax commissioner shall be entitled to receive more than four thousand dollars for his services during any year. In counties in which the assessed value of property exceeds twenty million dollars the county tax commissioner shall be allowed as compensation to the deputies appointed and qualified, the sum of fifteen hundred dollars for each seven and one-half million dollars of property which may be assessed in excess of twenty million dollars. In counties where the assessment does not exceed one million dollars the county tax commissioner shall be paid six cents on the one hundred dollars of the entire property listed."

Said amendment was adopted.

The Committee on Revenue and Taxation offered the following amendment to said bill, viz.:

Amend section 4, line 7, by transposing the words "elected or nominated," so as to read "nominated or elected."

Said amendment was adopted.

The Committee on Revenue and Taxation offered the following amendment to House Bill No. 138, viz.:

Amend section 5, line 4, by striking out the word "December" and inserting in lieu thereof the words "(October inclusive."

Said amendment was adopted.

The Committee on Revenue and Taxation offered the following amendment to House Bill No. 138, viz.:

Amend section 5, line 9, by inserting immediately after the word "day" the words "or days, if more than one day is required."

Said amendment was adopted.

The Committee on Revenue and Taxation offered the following amendment to House Bill No. 138, viz.:

Amend section 5, line 10, by striking out the word "December" and inserting in lieu thereof the words "October inclusive."

Said amendment was adopted.

The Committee on Revenue and Taxation offered the following amendment to House Bill No. 138, viz.:

Amend section 5, line 16, by inserting after the word "purpose" the following: "From the 1st day of November to the 31st day of December, inclusive, the county tax commissioner shall make up his assessment book and perform such other duties as may be required to obtain a fair and equitable assessment of the property in his county."

Said amendment was adopted.

The Committee on Revenue and Taxation offered the following amendment to House Bill No. 138, viz.:

Amend section 5, line 20, by striking out the word "December" and inserting in lieu thereof the words "October inclusive."

Said amendment was adopted.

Mr. Minor offered the following amendment to House Bill No. 138, viz.:

Amend House Bill No. 138 by striking out all of section 5 thereof and change the numbers of sections 6, 7 and 8 to 5, 6 and 7 respectively.

The yeas and nays being required on said amendment by Messrs. Minor and T. J. Smith, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	H. L. Dixon	Claude D. Minor
W. T. Beckham	M. E. Gilbert	A. J. McCandless
B. C. Beckmann	W. H. Hager	Avery Sartin
O. V. Brown	L. B. Hamilton	T. J. Smith
Everett Cobb	Joe Huddleston	S. G. Thornberry
John Cook	J. W. Johnson	F. C. VanHoose
A. A. Demunbrun	Griffin Kelly	—20

Those who voted in the negative were—

Ed. L. Allen	James S. Cruse	S. D. Laughlin
L. D. Baldauf	W. G. Dycus	Joseph Lazarus
J. H. Ballard	F. A. Easterling	J. E. Lilly
A. L. Baldwin	J. M. Elliston	Harry J. Meyers
Robert Bays	I. H. Gabbard	John T. Murphy
H. V. Bell	Lark Garnett	W. P. McDonogh
Leroy Bonta	J. S. Hall	H. C. McGehee
W. P. Bowman	A. L. Hamilton	S. Lee McGohan
R. J. Cain	E. C. Hardin	H. C. McLellen
T. L. Caudel	B. H. Harris	W. B. O'Bannon
H. C. Chappell	A. R. Hudson	A. J. Oliver
A. S. Cooper	W. H. Jones	T. P. Oliver
W. P. Cropper	H. A. Knollmann	W. F. Paris

Lilburn Phelps	John W. Swope	Geo. C. Waggoner
Richard Radcliffe	Claude M. Thomas	G. Frank Walthal
H. C. Rice	Elmore Thomas	T. R. Welch
Lewis Ryans	John B. Thomas	W. N. Winn
R. T. Smith	Geo. F. Thompson	E. G. Young
Thomas Spurrier	J. T. Thornton	
Ben Street	J. Wood Vance	

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And so said amendment was disagreed to.

Mr. McDonogh offered the following amendment to House Bill No. 138, viz.:

Add after line 16, page 6, section 5: "The taxpayer may appear before a notary public, county clerk, circuit clerk, or other officer qualified to administer oaths, and make the necessary affidavit required by the schedule as to the value of his property, and may then return said schedule to the county tax commissioner."

Said amendment was adopted.

Mr. Beckham offered the following amendment to House Bill No. 138, viz.:

Amendment to section 4 of House Bill No. 138: Strike out all of section four.

Said amendment was disagreed to.

Mr. Phelps offered the following amendment to House Bill No. 138, viz.:

Amend House Bill No. 138 by striking out the words "State Tax Commission," in line 12, section 2, of said bill and insert in lieu thereof the word "he."

Said amendment was adopted.

Mr. A. J. Oliver moved that the special order set for twelve o'clock noon, today, be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Bonta offered the following amendment to House Bill No. 138, viz.:

Amend section 3 by striking out beginning with the words "the auditor," in line 39 down to and including line 49, and insert in lieu thereof the following:

"The county tax commissioner shall be liable on his bond for all lists duplicated or omitted. After the sheriff has made his final settlement with the Auditor for the year the sheriff shall report on oath to the fiscal court at their next term a list of all persons with their taxable property so far as known to him, who were omitted by the tax commissioner, also the names of any person duplicated by the tax commissioner, and it shall be the duty of the fiscal court to certify such list to the county attorney, and he shall take such steps as necessary to collect same from the county tax commissioner or his bondsman, and to cover the same in the State Treasury as other State funds are paid."

Said amendment was adopted.

Mr. Bonta offered the following amendment to the amendment proposed by the Committee on Revenue and Taxation to House Bill No. 138, viz.:

Amend amendment by inserting after the words "twenty million," on the second page thereof, the following:

“Provided, however, the total sum allowed to any tax commissioner and his deputies shall not exceed seven thousand dollars in any county, except in a county having a city of the first class and in such county the present law shall remain in force. The counties shall allow to the assessor for assistance fifteen hundred dollars in any county assessing more than thirty-five millions in taxable property.”

Said amendment to the amendment was adopted.

Mr. Bonta offered the following amendment to House Bill No. 138, viz.:

Amend by inserting section 7a, which is as follows:

“The county tax commissioner shall meet with the county board of supervisors and furnish such supervisors with memorandums showing all real estate assessed to different parties, or in different districts from the year before, also a memorandum showing to whom and in what districts property was assessed in the last two assessments, and such other information as they may require. For these additional duties he shall receive such compensation as is paid to the members of the county board of supervisors. In terms when the years of the county tax commissioner expire it shall be his duty to attend the meeting of the board of supervisors for the next year and furnish them the information above required, for which he shall receive the above compensation.”

Said amendment was adopted.

Mr. Bonta offered the following amendment to House Bill No. 138, viz.:

Amend section 4 by striking out beginning with the words “within ninety days,” in line 6, down to section 5, and insert in lieu thereof the following:

“During the month of January, 1921, and every four years thereafter the State Tax Commission shall prepare a list of questions on the applicant’s experience as an assessor, his knowledge of the revenue laws, his knowledge of the geography of the county in which he expects to become a candidate, his knowledge of the industries and property of such county, and his elementary training and business experience to fill the office. Such questions shall be used in the examination of applicants for election to the office of county tax commissioner. The State Tax Commission shall carefully guard the questions while in course of preparation and after same have been prepared no information shall be given out as to the nature of the questions so prepared. Any person giving out information in regard to said questions shall be guilty of a misdemeanor and subject to a fine not exceeding five hundred dollars and any person having such questions illegally in his possession shall be subject to the same penalty. Not later than the second Monday in February in each year in which such examination is to be held, the State Tax Commission shall send to the county attorney by registered mail, securely sealed with seal of the State Tax Commission, a list of such questions and the county attorney shall securely keep them with seal unbroken until the second Monday in March when said examination shall be held. The county attorney, by virtue of his office, shall constitute a special examiner to hold said examination. On the date fixed for the examination said examiner shall hold a meeting at the county seat beginning at nine o’clock a. m. in a room provided for the purpose of holding the examination. Any qualified elector desiring to take such examination shall appear before said board at said time and said board shall hold said examination on the subjects mentioned in the order set out and one branch shall be completed before the next is commenced. The applicant shall answer all questions in his own writing and when he has made his answers to all questions on any one branch he shall immediately

turn his answers over to the examiner. If any applicant receives assistance in the examination he shall be barred from further participation and his papers shall not be graded. Immediately after the close of the examination and each applicant has signed his examination papers, together with his post office address, the examiner shall send to the State Tax Commission by registered mail, securely sealed, all papers of the applicant. The State Tax Commission shall grade all papers and no applicant shall be issued a certificate unless he makes a grade of seventy-five per cent. The State Tax Commission shall issue to persons passing this examination a certificate of their fitness and qualifications to fill the office of county tax commissioner on or before the first day of May. The county attorney shall be allowed out of the county funds five dollars per day for his services in the examination of the applicants."

Said amendment was adopted.

Mr. Bonta offered the following amendment to the amendment to section 4 of House Bill No. 138, viz.:

"All examination questions and answers made up all applicants for examination for the office of county tax commissioner shall be preserved by the State Tax Commission for twelve consecutive months after said examination, and shall be public records to be viewed and examined by any person requesting to see at the office of the State Tax Commission at Frankfort, Kentucky. The refusal of any member of the State Tax Commission to permit such person to view and examine said examination papers shall be a misdemeanor and upon conviction thereof said tax commissioner shall be fined not less than five hundred dollars."

Said amendment to the amendment was adopted.

Mr. Bonta offered the following amendment to House Bill No. 138, viz.:

Amend section 5 by striking out the words "justice's district," in lines 10 and 11, and inserting in lieu thereof the words "voting precincts."

Said amendment was adopted.

Mr. Radcliffe offered the following amendment to House Bill No. 138, viz.:

Amend section 2, line 11, by striking out the words "twenty-four" and inserting in lieu thereof the words "twenty-one."

Said amendment was adopted.

Mr. Cobb moved that the further consideration of House Bill No. 138 be postponed and that said bill and all pending amendments be printed.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.,

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby

W. J. Bailey
L. D. Baldauf

J. H. Ballard
Robert Bays

B. C. Beckmann	B. H. Harris	Lilburn Phelps
H. V. Bell	David J. Howard	Richard Radcliffe
Leroy Bonta	Joe Huddleston	H. C. Rice
W. P. Bowman	A. R. Hudson	Lewis Ryans
O. V. Brown	W. H. Jones	Avery Sartin
R. J. Cain	Griffin Kelly	Thomas Spurrier
T. L. Caudel	W. F. Klair	Ben Street
H. C. Chappell	S. D. Laughlin	John W. Swope
A. S. Cooper	Joseph Lazarus	Claude M. Thomas
W. P. Cropper	M. E. Lee	Elmore Thomas
James S. Cruse	Harry J. Meyers	John B. Thomas
A. A. Demunbrun	Claude D. Minor	J. T. Thornton
Harry Dill	John T. Murphy	W. F. Trusty
H. L. Dixon	Ryland C. Musick	J. Wood Vance
W. G. Dycus	W. P. McDonogh	Geo. C. Waggoner
I. H. Gabbard	H. C. McGehee	G. Frank Walthal
Lark Garnett	S. Lee McGohan	T. R. Welch
J. S. Hall	H. C. McLellen	W. N. Winn
A. L. Hamilton	W. B. O'Bannon	E. G. Young
L. B. Hamilton	A. J. Oliver	
E. C. Hardin	T. P. Oliver	

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Those who voted in the negative were—

W. T. Beckham	H. A. Knollmann	T. J. Smith
Everett Cobb	S. H. Moore	Geo. F. Thompson
M. E. Gilbert	A. J. McCandless	S. G. Thornberry
W. H. Hager	Claude B. Smith	F. C. VanHoose
J. W. Johnson	R. T. Smith	

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Resolved, that the title thereof be as aforesaid.

Mr. Bonta moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 22. An act providing for the separate confinement of the criminal insane, defining such term, and providing for the transfer to such institution of those who have been adjudged criminally insane.

To the Committee on Charitable Institutions.

S. B. 180. An act to amend an act entitled an act creating the Thirty-sixth Judicial District of Kentucky; fixing the time of holding courts thereof; providing for the appointment of an election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Thirty-first and Thirty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth District; and fixing the time for holding the courts in said district and in the other districts affected.

To the Committee on Redistricting, Judicial.

S. B. 194. An act to amend and re-enact sections 18 and 20 of the act approved March 17, 1914, entitled an act relating to the establishment, protection and building of levees for the public benefit, which appears on page 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessments against lands, protected by levees, for the purpose of raising money to pay the principal and interest on bonds and other liabilities of the district and levee commissioners, which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of lands may not be applicable.

To the Committee on Public Ditches and Fences.

The House then took up for consideration the special order, which had been postponed until this time, a bill which originated in the Senate, of the following title, viz.:

S. B. 84. An act dividing the Commonwealth of Kentucky into Thirty-eight Senatorial Districts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the State of Kentucky be, and the same is, hereby divided into Thirty-eight Senatorial Districts, as follows:

District 1. That the counties of Graves, Hickman and Fulton, having a population of 59,402, shall be Senatorial District No. 1.

District No. 2. That the counties of Carlisle, Ballard, McCracken and Marshall, having a population of 72,573, shall be Senatorial District No. 2.

District 3. That the counties of Caldwell, Calloway, Lyon and Trigg, having a population of 57,892, shall be Senatorial District No. 3.

District 4. That the counties of Livingston, Crittenden and Union, having a population of 43,809, shall be Senatorial District No. 4.

District 5. That the counties of Henderson and Webster, having a population of 50,327, shall be Senatorial District No. 5.

District 6. That the counties of Christian and Hopkins, having a population of 73,136, shall be Senatorial District No. 6.

District 7. That the counties of Muhlenberg, Ohio and Hancock, having a population of 64,752, shall be Senatorial District No. 7.

District 8. That the counties of Daviess and McLean, having a population of 52,461, shall be Senatorial District No. 8.

District 9. That the counties of Logan, Simpson and Todd, having a population of 52,865, shall be Senatorial District No. 9.

District 10. That the counties of Butler, Grayson, Breckinridge and Hart, having a population of 74,970, shall be Senatorial District No. 10.

District 11. That the counties of Allen, Edmonson and Warren, having a population of 55,936, shall be Senatorial District No. 11.

District 12. That the counties of Hardin, Larue, Bullitt and Meade, having a population of 52,658, shall be Senatorial District No. 12.

District 13. That the counties of Pike, Floyd and Knott, having a population of 61,093, shall be Senatorial District No. 13.

District 14. That the counties of Nelson, Washington, Marion, Taylor and Green, having a population of 70,732, shall be Senatorial District No. 14.

District 15. That the counties of Pulaski, Whitley and McCreary, having a population of 69,968, shall be Senatorial District No. 15.

District 16. That the counties of Clinton, Cumberland, Monroe, Russell and Wayne, having a population of 61,041, shall be Senatorial District No. 16.

District 17. That the counties of Knox, Laurel and Bell, having a population of 70,435, shall be Senatorial District No. 17.

District 18. That the counties of Boyle, Garrard, Casey and Lincoln, having a population of 59,938, shall be Senatorial District No. 18.

District 19. That the counties of Barren, Metcalfe and Adair, having a population of 52,249, shall be Senatorial District No. 19.

District 20. That the counties of Franklin, Anderson, Mercer and Spencer, having a population of 58,911, shall be Senatorial District No. 20.

District 21. That the counties of Shelby, Oldham, Henry, Trimble and Carroll, having a population of 53,627, shall be Senatorial District No. 21.

District 22. That the counties of Jessamine, Scott and Woodford, having a population of 42,140, shall be Senatorial District No. 22.

District 23. Shall be composed of the Eleventh and Twelfth Wards of the City of Louisville, having a population of 70,000.

District 24. That the county of Kenton, having a population of 70,644, shall be Senatorial District No. 24.

District 25. That the county of Campbell, having a population of 59,369, shall be Senatorial District No. 25.

District 26. That the counties of Bracken, Grant, Pendleton, Boone and Gallatin, having a population of 46,991, shall be Senatorial District No. 26.

District 27. That the county of Fayette, having a population of 47,715, shall be Senatorial District No. 27.

District 28. That the counties of Bourbon, Clark and Montgomery, having a population of 48,317, shall be Senatorial District No. 28.

District 29. That the counties of Rockcastle, Jackson, Estill, Madison and Owsley, having a population of 71,410, shall be Senatorial District No. 29.

District 30. That the counties of Harrison, Nicholas, Owen and Robertson, having a population of 45,843, shall be Senatorial District No. 30.

District 31. That the counties of Mason, Fleming, Bath, Rowan, Menifee and Powell, having a population of 70,524, shall be Senatorial District No. 31.

District 32. That the counties of Lewis, Carter, Greenup and Elliott, having a population of 67,142, shall be Senatorial District No. 32.

District 33. That the counties of Harlan, Letcher, Perry, Leslie and Clay, having a population of 59,215, shall be Senatorial District No. 33.

District 34. That the counties of Morgan, Magoffin, Wolfe, Breathitt and Lee, having a population of 66,839, shall be Senatorial District No. 34.

District 35. That the counties of Boyd, Lawrence, Johnson and Martin, having a population of 68,284, shall be Senatorial District No. 35.

District 36. That the county of Jefferson, outside of the city of Louisville and the First Ward, having a population of 57,000, shall be Senatorial District No. 36.

District 37. Shall be composed of the Second, Third, Fourth and Fifth Wards of the city of Louisville, having a population of 75,000.

District 38. Shall be composed of the Sixth, Seventh, Eighth, Ninth and Tenth Wards of the city of Louisville, having a population of 59,000.

Mr. Murphy moved that the further consideration of said bill be postponed until Thursday, March 7th, 1918, at eleven-thirty o'clock a. m.

The yeas and nays being required on said motion by Messrs. Murphy and Chappell, were as follows, viz.:

Those who voted in the affirmative were—

P. S. Bailey	L. B. Hamilton	Richard Radcliffe
W. T. Beckham	David J. Howard	H. C. Rice
Everett Cobb	Griffin Kelly	J. Wood Vance
H. L. Dixon	H. A. Knollmann	W. N. Winn
Lark Garnett	S. D. Laughlin	
M. E. Gilbert	John T. Murphy	

Those who voted in the negative were—

Ed. L. Allen	J. S. Hall	W. F. Paris
Chas. Ashby	B. H. Harris	Lilburn Phelps
L. D. Baldauf	Joe Huddleston	Ote Piper
J. H. Ballard	A. R. Hudson	Lewis Ryans
A. L. Baldwin	Chas. L. Hunter	Avery Sartin
Robert Bays	J. W. Johnson	Claude B. Smith
H. V. Bell	W. H. Jones	R. T. Smith
W. P. Bowman	W. F. Klair	T. J. Smith
O. V. Brown	Joseph Lazarus	Thomas Spurrier
R. J. Cain	M. E. Lee	Ben Street
H. C. Chappell	J. E. Lilly	John W. Swope
John Cook	Harry J. Meyers	Claude M. Thomas
A. S. Cooper	Clarence Miller	Elmore Thomas
Fred Cornelius	Ryland C. Musick	Geo. F. Thompson
James S. Cruse	A. J. McCandless	W. F. Trusty
J. C. Davis	W. P. McDonogh	F. C. VanHoose
A. A. Demunbrun	S. Lee McGohan	Geo. C. Waggoner
W. G. Dycus	H. C. McLellen	G. Frank Walthal
F. A. Easterling	W. B. O'Bannon	T. R. Welch
I. H. Gabbard	A. J. Oliver	E. G. Young
W. H. Hager	T. P. Oliver	—62

And so said motion was disagreed to.

Mr. Klair moved that the session of today be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Cobb offered the following amendment to Senate Bill No. 84, viz.:

Amend Senate Bill No. 84 by striking out the word "Bracken," in line 53, and inserting in lieu thereof the word "Owen."

And amend line 61 by striking out the word "Owen" and inserting in lieu thereof the word "Bracken."

Said amendment was adopted.

Mr. Hunter offered the following amendment to Senate Bill No. 84, viz.:

Amend Senate Bill No. 84 as follows:

In line fifteen, district seven, strike out the word "Hancock" and insert in lieu thereof the word "Butler;" also in the same district, in line sixteen thereof, strike out the figures "64,752" and insert in lieu thereof the figures "72,045."

Said amendment was adopted.

Mr. Hunter offered the following amendment to Senate Bill No. 84, viz.:

Amend Senate Bill No. 84 as follows:

In line twenty-one, district ten, strike out the word "Butler" and insert in lieu thereof the word "Hancock;" also in the same district, in line twenty-two thereof, strike out the figures "74,970" and insert in lieu thereof the figures "67,677."

Said amendment was adopted.

Mr. Rice offered the following amendment to Senate Bill No. 84, which two amendments were considered together, viz.:

No. 1. Amend Senate Bill No. 84 as follows:

Insert the word "Madison" in line forty-five, district twenty-two, immediately after the word "of" and before the word "Jessamine;" also in the same district, in line forty-six, strike out the figures "42,140" and insert in lieu thereof the figures "69,091," so that when so amended said district will read as follows:

"District 22. That the counties of Madison, Jessamine, Scott and Woodford, having a population of 69,091, shall be Senatorial District No. 22."

No. 2. Amend Senate Bill No. 84 as follows:

In line fifty-nine, district twenty-nine, strike out the word "Madison:" also in the same district, line sixty, strike out the figures "71,410" and insert in lieu thereof the figures "44,459," so that when so amended said district well read as follows:

District 29. That the counties of Rockcastle, Jackson, Estill and Owsley, having a population of 44,459, shall be Senatorial District No. 29."

The yeas and nays being required on said two foregoing amendments by Messrs. Welch and Howard, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	W. H. Jones	S. Lee McGohan
A. S. Cooper	W. F. Klair	H. C. Rice
W. P. Cropper	H. A. Knollmann	Thomas Spurrier
Harry Dill	M. E. Lee	Ben Street
H. L. Dixon	Harry J. Meyers	J. T. Thornton
W. G. Dycus	Clarence Miller	W. N. Winn
Lark Garnett	Ryland C. Musick	
M. E. Gilbert	W. P. McDonogh	

Those who voted in the negative were—

Ed. L. Allen	L. B. Hamilton	Richard Radcliffe
L. D. Baldauf	David J. Howard	Avery Sartin
J. H. Ballard	Joe Huddleston	Claude B. Smith
W. T. Beckham	A. R. Hudson	R. T. Smith
H. V. Bell	Chas. L. Hunter	T. J. Smith
Leroy Bonta	J. W. Johnson	John W. Swope
R. J. Cain	Griffin Kelly	Claude M. Thomas
T. L. Caudel	Joseph Lazarus	Elmore Thomas
H. C. Chappell	J. E. Lilly	John B. Thomas
Everett Cobb	S. H. Moore	Geo. F. Thompson
Fred Cornelius	A. J. McCandless	W. F. Trusty
James S. Cruse	H. C. McGehee	J. Wood Vance
J. C. Davis	W. B. O'Bannon	F. C. VanHoose
A. A. Demunbrun	A. J. Oliver	Geo. C. Waggoner
F. A. Easterling	T. P. Oliver	G. Frank Walthal
I. H. Gabbard	W. F. Paris	T. R. Welch
W. H. Hager	Lilburn Phelps	
J. S. Hall	Ote Piper	

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And so said amendments were disagreed to.

Mr. Beckham offered the following amendments to Senate Bill No. 84, which two amendments were considered together, viz.:

Amend Senate Bill No. 84, in lines fifty-three and fifty-four, by adding thereto the words "Carroll and Trimble."

Amend Senate Bill No. 84 as follows:

By striking out of lines forty-three and forty-four thereof the words "Carroll and Trimble" and insert in lieu thereof the words "Nelson and Spencer" so that said section, as amended, shall read:

“The Twenty-first District shall be composed of Shelby, Oldham, Henry, Nelson and Spencer.”

The two foregoing amendments offered by Mr. Beckham, which were considered together, were disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	James S. Cruse	W. H. Jones
Chas. Ashby	J. C. Davis	Griffin Kelly
B. S. Bailey	A. A. Demunbrun	W. F. Klair
W. J. Bailey	W. G. Dycus	H. A. Knollmann
L. D. Baldauf	F. A. Easterling	S. D. Laughlin
A. L. Baldwin	I. H. Gabbard	Joseph Lazarus
Robert Bays	Lark Garnett	M. E. Lee
B. C. Beckmann	M. E. Gilbert	J. E. Lilly
H. V. Beil	W. H. Hager	Harry J. Meyers
Leroy Bonta	J. S. Hall	Clarence Miller
J. L. Bradford	L. B. Hamilton	S. H. Moore
O. V. Brown	E. C. Hardin	John T. Murphy
R. J. Cain	B. H. Harris	Ryland C. Musick
T. L. Caudel	David J. Howard	A. J. McCandless
H. C. Chappell	Joe Huddleston	W. P. McDonogh
John Cook	A. R. Hudson	H. C. McGehee
A. S. Cooper	Chas. L. Hunter	S. Lee McGohan
Fred Cornelius	J. W. Johnson	H. C. McLellen
W. P. Cropper	Leslie P. Jones	W. B. O'Bannon

A. J. Oliver	Claude B. Smith	Geo. F. Thompson
T. P. Oliver	R. T. Smith	W. F. Trusty
W. F. Paris	T. J. Smith	F. C. VanHoose
Lilburn Phelps	Thomas Spurrier	Geo. C. Waggoner
Ote Piper	Ben Street	G. Frank Walthal
Richard Radcliffe	John W. Swope	T. R. Welch
Lewis Ryans	Claude M. Thomas	E. G. Young
Avery Sartin	Elmore Thomas	—80

Those who voted in the negative were—

W. T. Beckham	H. L. Dixon	J. T. Thornton
Everett Cobb	H. C. Rice	J. Wood Vance
Harry Dill	John B. Thomas	W. N. Winn
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Resolved, that the title thereof be as aforesaid.

Mr. A. J. Oliver moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

And then the House, at two-twenty p. m., adjourned.

THURSDAY, FEBRUARY 21, 1918

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	L. D. Baldauf	B. C. Beckmann
Chas. Ashby	J. H. Ballard	H. V. Bell
B. S. Bailey	Robert Bays	W. P. Bowman

J. L. Bradford	Chas. L. Hunter	W. F. Paris
O. V. Brown	J. W. Johnson	Lilburn Phelps
R. J. Cain	Leslie P. Jones	Ote Piper
T. L. Caudel	W. H. Jones	H. C. Rice
Everett Cobb	Griffin Kelly	Lewis Ryans
John Cook	W. F. Klair	Avery Sartin
A. S. Cooper	H. A. Knollmann	Claude B. Smith
Fred Cornelius	S. D. Laughlin	R. T. Smith
James S. Cruse	Joseph Lazarus	T. J. Smith
J. C. Davis	M. E. Lee	Thomas Spurrier
A. A. Demunbrun	J. E. Lilly	Ben Street
W. G. Dycus	Harry J. Meyers	John W. Swope
I. H. Gabbard	Clarence Miller	Claude M. Thomas
W. H. Hager	S. H. Moore	Elmore Thomas
J. S. Hall	John T. Murphy	John B. Thomas
A. L. Hamilton	A. J. McCandless	Geo. F. Thompson
L. B. Hamilton	W. P. McDonogh	S. G. Thornberry
E. C. Hardin	H. C. McGehee	J. T. Thornton
B. H. Harris	S. Lee McGohan	J. Wood Vance
David J. Howard	H. C. McLellen	Geo. C. Waggoner
Joe Huddleston	W. B. O'Bannon	T. R. Welch
A. R. Hudson	T. P. Oliver	W. N. Winn

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Upon motion of Mr. Bell the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Waggoner moved that the regular order of business be dispensed with and that the Clerk call the committees for reports.

Said motion was agreed to.

Mr. Claude M. Thomas announced to the House that Mr. Homer A. Spillman, Janitor and Bill Clerk of the House, had joined the United States Army, and moved that the services of Mrs. Homer A. Spillman be accepted by the

House in the place and stead of her husband in such positions, and that the per diem for said services be paid as though Mr. Spillman was present in person and performing such duties.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Claude M. Thomas, of the Committee on Agriculture:

H. B. 225. An act to provide for county inspectors of apiaries and defining their duties, and providing for their compensation for the purpose of curing and avoiding foul brood and other diseases among bees and their hives.

With an amendment thereto.

By same:

H. B. 117. An act to provide for the suppression of contagious diseases among bees; to create the office of State Inspector of Apiaries and to appropriate money therefor.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said House Bill No. 117 be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. B. 407. An act regulating the sale of nursery stock.

By same:

H. B. 105. An act providing for the taxation of dogs.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said House Bill No. 105 be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. B. 104. An act to discourage the keeping of dogs and to prevent their depredations.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said House Bill No. 104 be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

Mr. C. M. Thomas moved that the rules be suspended and that H. B. 282 be placed in the calendar without being referred to the Committee on Appropriations.

Said motion was agreed to.

By same:

H. B. 282. An act to suppress, prevent, control and eradicate communicable diseases in live stock, to provide the necessary offices and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2, chapter 5, Carroll's 1915 edition, Kentucky Statutes.

With an amendment thereto.

By Mr. Hardin, of the Committee on Appropriations:

H. B. 274. An act to provide for the payment of the clerical assistance of the Auditor of Public Accounts and for additional assistance for the proper conduct of said office.

By same:

H. B. 60. An act appropriating funds for the benefit of the Colored Normal School.

With an amendment thereto.

By same:

H. B. 200. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-operate with State and Government authorities in holding agricultural meetings and make an appropriation therefor.

With an amendment thereto.

By Mr. Caudel, of the Committee on Circuit Courts:

H. B. 232. An act to amend section 965, Kentucky Statutes, relating to the times of holding the sessions of circuit court in the Twenty-first Judicial District.

By Mr. Phelps, of the Committee on County and City Courts:

S. B. 68. An act to amend and re-enact section 217 of chapter 24, Acts 1916, of the General Assembly, so as to give magistrates and police courts of this State concurrent jurisdiction with the county courts in violations of the compulsory school law.

By Mr. Musick, of the Committee on Codes of Practice.

H. B. 84. An act to amend subsection five of section three hundred and thirty-seven of the Code of Practice in civil cases, relating to bills of exceptions.

By Mr. A. J. Oliver, of the Committee on Criminal Law:

H. B. 145. An act to amend and re-enact section 1155 of Carroll's Statutes, 1915 edition.

With an amendment thereto by way of substitute therefor.

By same:

H. B. 240. An act to amend and re-enact section 1267 of the Kentucky Statutes relating to offenses against public peace.

By same:

H. B. 241. An act entitled an act to amend sections 203 and 204 of the Criminal Code of Practice, relating to peremptory challenges allowed defendant.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. B. 205. An act prohibiting the throwing or depositing of saw dust into any running stream outside of an enclosed plantation and fixing the penalty therefor.

By same:

H. B. 177. An act to repeal subsection 2, section 223, Criminal Code.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. B. 144. An act to amend section 203 of Carroll's Criminal Code, 1913 edition.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By Mr. C. B. Smith, of the Committee on Charitable Institutions:

H. B. 278. An act to provide for the compulsory education of deaf and providing penalties for the violation thereof.

Mr. McLellen moved that the orders of the day be postponed until the call of committees for reports is completed.

Said motion was agreed to.

Mr. Phelps moved that the vote by which the House sustained the opinion of the Committee on Education No. 2 refusing the first reading of House Bill No. 194, be reconsidered, and that House Bill No. 194 be given its first reading and placed in the calendar.

Said motion was agreed to.

H. B. 194. To provide for the teaching of elementary agriculture in the common schools of Kentucky, except in cities of the first, second, third and fourth classes, and to require teachers to be examined on said subject.

Mr. Claude M. Thomas moved that the vote by which House Bill No. 242 was refused its first reading be reconsidered and that said bill be recommitted to the Committee on Agriculture.

Said motion was agreed to.

By Mr. Howard, of the Committee on Cities of the Fourth Class:

H. B. 361. An act to amend and re-enact section 3487, Kentucky Statutes, Carroll's edition of 1915, relating to city clerks of cities of the fourth class.

By Mr. Cobb, of the Committee on Cities of the Fifth and Sixth Class:

S. B. 38. An act relating to cities of the fifth class, chapter 89, Kentucky Statutes, and providing for the publication of the ordinances thereof and the advertising of such matters as are required to be made by such cities, and fixing a rate to be charged therefor by newspapers.

By same:

H. B. 375. An act amending section 2740, Kentucky Statutes, relating to towns of the fifth class and re-enacting the same.

By Mr. Swope, of the Committee on Confederate Home:

H. B. 382. An act to amend and re-enact subsection 9 of 415b of Kentucky Statutes, Carroll's edition, 1915, relating to pensions for Confederate soldiers.

By Mr. Bell, of the Committee on Education No. 1.

H. B. 316. An act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18th, 1916, relating to the distribution of State school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor; providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

With an amendment thereto.

By same:

H. B. 269. An act to amend section 34, chapter 89, Kentucky Statutes, relating to the government of cities of the third class and providing for election of board of education.

By same:

H. B. 268. An act to amend section 3469, chapter 89, Kentucky Statutes, relating to board of education in third class cities.

By same:

H. B. 227. An act requiring the sheriff to account to the county board of education for all funds collected by him for school purposes.

By same:

H. B. 228. An act to amend section 4421, Kentucky Statutes.

By same:

H. B. 226. An act providing for the settlement of county superintendents with the county board of education and provisions concerning same.

By same:

H. B. 379. An act to amend the public school laws and to provide for the furnishing of free text books to pupils of the graded schools in cities of the first, second, third and fourth class and in all graded common school districts.

Without expression of opinion.

By Mr. Beckham, of the Committee on Interurban and City Railways:

H. B. 412. An act requiring interurban railway companies operating in this Commonwealth to equip their passenger cars with bundle racks.

By Mr. Howard, of the Committee on Judiciary:

S. B. 47. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement or dissolution of temporary injunctions by a judge of the Court of Appeals.

By Mr. Radcliffe, of the Committee on Insurance, Life and Accident:

H. B. 420. An act relating to assessment or co-operative life and accident insurance companies, amending sec. 681, Kentucky Statutes, 1915 edition, providing license for agents of foreign companies doing business in this State.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 339. An act to prevent fraudulent advertising in the State of Kentucky.

By Mr. Dycus, of the Committee on Mines and Mining:

H. B. 363. An act to authorize the guardian of an infant, curator or the committee of a person of unsound mind to lease the real estate of an interest therein of infant or person of unsound mind for the removal of oil and mineral and other

mining purposes, and regulating the procedure therefor, and repealing chapter 99 of the Acts of the regular session of the General Assembly of the Commonwealth of Kentucky during the year 1916.

By Mr. Beckmann, of the Committee on Municipalities:

H. B. 421. An act to amend section 1321, Kentucky Statutes, so far as it affects cities of the first, second and third class, and the territory adjacent to U. S. Army Campments.

By Mr. Welch, of the Committee on Public Health:

H. B. 116. An act to regulate the practice of chiropody, to license chiropodists and to punish persons violating the provisions thereof.

With an amendment thereto by way of substitute therefor.

By same:

H. B. 369. An act entitled an act to promote the public health by providing for compulsory medical examination and treatment of certain classes of persons convicted in cities of the first class of offenses involving certain immoral conduct.

With an amendment thereto by way of substitute therefor.

By Mr. Waggoner, of the Committee on Public Roads and Highways:

H. B. 377. An act entitled an act to repeal and re-enact subsection 4 of section 2739, Kentucky Statutes, Carroll's edition of 1915, relating to motor vehicles.

By same:

H. B. 284. An act to amend and re-enact subsection 5 of section 4356x of Carroll's 1915 edition of Kentucky Statutes, relating to system of public roads.

Without expression of opinion.

By same:

S. B. 18. An act for the improvement of the public highways of this Commonwealth.

By Mr. Kelly, of the Committee on Public Ditches and Fences:

H. B. 389. An act entitled an act relating to the drainage of lands and to amend and re-enact sections 7, 10, 31, 34, 35 and 49 of chapter 132 of the Acts of 1912, said chapter being an act relating to the drainage of lands, the establishment and construction of public ditches, levees and drains and the straightening, widening, deepening or otherwise improving public levees, ditches, drains, creeks or non-navigable streams, prescribing the method of procedure, the assessment and collection of the cost and expenses thereof, creating and incorporating boards of drainage commissioners and prescribing the duties and providing for the payment of officers and employes having duties to perform hereunder, which was approved by the Governor March 19, 1912, and which is now section 2380 of the Kentucky Statutes, and subsections 7, 10, 31, 34, 35 and 49 of said section 2380, being the parts thereof hereby amended, and to validate proceedings heretofore had under said act and said section 2380 of the Kentucky Statutes.

Without expression of opinion.

By Mr. Laughlin, of the Committee on Public Utilities:

H. B. 233. An act concerning the annual statement or reports and returns of railway companies, railway corporations, telephone companies and express companies, required to be made and delivered to the Auditor of Public Accounts and the railroad commission under the provisions of article 4 of chapter 108, Kentucky Statutes, edition 1915.

By Mr. Winn, of the Committee on Railroads:

H. B. 341. An act making it unlawful for trespassers to interfere with railroad trains while in operation and prescribing a penalty therefor.

By same:

H. B. 338. An act regulating the employment of flagmen and yardmen by common carriers in the Commonwealth and providing a penalty for violating same.

By Mr. O'Bannon, of the Committee on Revenue and Taxation:

H. B. 148. An act to amend section 1 of chapter 2 of the Acts of the General Assembly at the extraordinary session of 1917, relating to revenue and taxation.

By same:

H. B. 239. An act to prevent undervaluation of notes, bonds, accounts or other credits, secured or unsecured, or shares of stock liable to assessment, and providing penalty therefor and giving power to the tax commission of this Commonwealth to impose and collect penalty imposed therefor, on the taxpayer or person required by law to list said property for taxation.

By same:

H. B. 320. An act conferring authority upon State Tax Commission to participate in and be made a party to all proceedings and suits for the appraisement of estates and the collection of inheritance taxes thereon and requiring certain notices and information to be furnished it by the judges and clerks of the county courts; and providing that it shall be represented by county attorneys or by special counsel to be employed by it; and directing that all suits in foreign jurisdictions for the collection of said tax shall be brought by it; and empowering it to issue certificates authorizing domestic corporations to transfer stocks owned by non-resident decedents not subject to tax.

By same:

H. B. 378. An act to repeal and re-enact chapter 11 of the Acts of 1916, and section 3721 of the Kentucky Statutes, relating to the appointment of notaries public.

By Mr. Dill, of the Committee on Immigration and Labor:

H. B. 293. An act to amend and re-enact an act of the General Assembly of the session of 1916, being chapter 21 of said act and entitled an act in relation to the semi-monthly payment of wages and salaries by corporations for pecuniary profit and providing penalty for violation of same.

With an amendment thereto.

By Mr. L. P. Jones, of the Committee on Suffrage and Elections:

H. B. 391. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes, Carroll's edi-

tion 1915, relating to elections, sub-head, How Conducted; and subsections 7, 13, 14 and 15 of section 1550 of said statutes, relating to elections; declaring who is an "absent voter," permitting him to register and to vote in general primaries and general elections, providing a method therefor, and fixing penalties for a violation thereof.

By Mr. Waggoner, of the Committee on State Prisons and Houses of Reform:

H. B. 281. An act to amend and re-enact sections 3800a and 3813 (19), Kentucky Statutes, Carroll's edition 1915; said section 3800a relating to assistant deputy wardens of the penitentiaries of the Commonwealth of Kentucky and said section 3813 (19) relating to salaries of officers and guards of said penitentiaries.

Without expression of opinion.

By same:

H. B. 323. An act to authorize the board of prison commissioners to appoint a superintendent of State reformatory farms, at a salary of \$1,500 per annum, who shall be a bonded officer and submit monthly and yearly records of all transactions, approved by the warden of the State reformatory, for the consideration of the board. The large increase in values and the volume of business in this department makes it advisable to have a bonded officer in charge of all receipts and expenditures.

By Mr. A. L. Hamilton, of the Committee on Printing:

H. B. 334. An act to amend section 1884 of Carroll's 1915 edition of the Kentucky Statutes.

The foregoing bills, excepting House Bills Nos. 117, 105, 104, 241, 177 and 144 were severally read at length the first time, and ordered to be placed in the calendar.

Mr. Lazarus moved that the Speaker appoint a committee to escort Lieutenant Paul Perigord to the House Chamber, at which place, at two-thirty o'clock p. m. today, he is to address a joint meeting of the House and Senate.

Said motion was agreed to.

Thereupon the Speaker of the House, in accordance with said motion, appointed Messrs. Lazarus, Klair, Lilly, Hudson, Street and Claude M. Thomas as such committee.

Mr. Meyers moved that when this House adjourns today it be to meet again on Monday next, February 25th, 1918, at one-thirty o'clock p. m.

Said motion was agreed to.

Mr. Hudson announced to the House that he was authorized by the officials of the city of Louisville to extend an invitation to the members of this House to occupy seats upon the reviewing stand to review the military parade on Friday, February 22nd, 1918.

Mr. Phelps offered the following resolution, viz.:

Resolved by the House of Representatives of the State of Kentucky:

That the invitation extended to this House by the city of Louisville, through its mayor and its representatives, to review the military parade in that city on Friday, February 22nd, be, and the same is, hereby accepted with great pleasure.

Said resolution was adopted.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 41. An act to promote temperance in the State.

To the Committee on Alcoholic Liquor Traffic.

S. B. 90. An act in relation to advertisements concerning venereal diseases.

To the Committee on Public Health.

Also that they had adopted a resolution of the following title, viz.:

S. Res. 13. Joint Resolution providing for payment of assistant for Superintendent of Public Printing.

Ordered that said resolution lie on the Clerk's desk.

Mr. McGohan, of the Committee on Alcoholic Liquor Traffic, to which the same had been re-committed with leave to report at any time, reported a bill of the following title, viz.:

H. B. 165. An act to repeal section 1342b of the Kentucky Statutes, Carroll's 1915 edition, and to re-enact same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 1342b of the Kentucky Statutes, Carroll's 1915 edition, relating to drinking on railroad trains or depot

premises, be, and the same is, hereby repealed, and the following is enacted in lieu thereof:

Section 1. Drunk or Drinking on Train or Depot Premises.—That any person who shall, in or upon any railroad locomotive, passenger coach, interurban car, street car, or in or upon any vehicle commonly used for the transportation of passengers, or in or upon any common carrier, or in or about any railroad depot, station, ticket office, waiting room, or platform, drink any intoxicating liquor of any kind, or if any person shall be drunk or disorderly in or upon any railroad passenger coach, interurban car, street railway, or in or upon any vehicle commonly used for the transportation of passengers or in or upon any common carrier, or in or about any railroad depot, station, ticket office, waiting room, or platform, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, or imprisoned not less than ten nor more than sixty days, or both so fined and imprisoned in the discretion of the court or jury; provided, that the foregoing section shall not apply to any person drinking intoxicating liquors purchased by him in or upon any buffet or dining car operated by a common carrier in this Commonwealth.

Section 2. Penalty.—Any person violating the provisions of section 1 of this act shall be tried in any court of competent jurisdiction in the county where the offense shall have been committed.

Section 3. Duty of Trainmen and Officers—Penalty.—Conductors of steam and interurban railway and station, depot or ticket agents of said railways are hereby empowered with authority and it shall be their duty, when they see any person violating the provisions or any of them of section 1 of this act, to at once apprehend and arrest the person so violating the provisions of this act and turn him over to the nearest or most convenient sheriff, constable, town marshal or

policeman of the county in which the offense is committed, and such conductor or agent shall give to the court or authority to whom they may turn over such person arrested, such description by name or otherwise as will enable the court to identify the offender, also give the offense; and it shall thereupon be the duty of the court or officer to whom such prisoner is delivered, to deal with such offender as in any other violations of law within their jurisdiction; and it shall be the duty of such officer or court to whom any offender arrested by any conductor or agent is delivered, to prosecute said offender in the manner provided by law. If any such officer to whom shall be delivered the offender by any railway conductor or agent, shall willfully or negligently refuse to prosecute said offender, he shall be fined not less than \$25.00 nor more than \$100.00 for each offense and shall forfeit his office; and it shall be the further duty of such railway conductor or agent arresting the offender to give information of the failure of any delinquent officer.

The Committee on Alcoholic Liquor Traffic offered the following amendment to said bill, viz.:

Amend by cutting out the last part of section one, beginning with the word "provided," in line seventeen, to the end of the section.

Said amendment was adopted.

Mr. Allen offered the following amendment to said bill, viz.:

Amend section three by inserting after the word "offense," in line thirty-four, "and any conductor of steam and interurban railways who shall wilfully or negligently fail to perform such duties shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense."

Said amendment was disagreed to.

Mr. Phelps offered the following amendment to said bill, viz.:

Amend by striking out, in line twenty-five, the following words: "and station, depot or ticket agents."

Said amendment was disagreed to.

Mr. Phelps moved the previous question on said bill and pending amendments.

Mr. Speaker Crowe stated the question: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	O. V. Brown	James S. Cruse
Robert Bays	R. J. Cain	J. C. Davis
W. T. Beckham	T. L. Caudel	A. A. Demunbrun
B. C. Beckmann	Everett Cobb	H. L. Dixon
H. V. Beli	John Cook	W. G. Dycus
W. P. Bowman	A. S. Cooper	F. A. Easterling
J. L. Bradford	W. P. Cropper	L. L. Embry

I. H. Gabbard	M. E. Lee	H. C. Rice
Lark Garnett	J. E. Lilly	Avery Sartin
W. H. Hager	Harry J. Meyers	Claude B. Smith
J. S. Hall	Clarence Miller	R. T. Smith
L. B. Hamilton	Claude D. Minor	T. J. Smith
E. C. Hardin	John T. Murphy	Thomas Spurrier
B. H. Harris	Ryland C. Musick	John W. Swope
David J. Howard	A. J. McCandless	Claude M. Thomas
Joe Huddleston	W. P. McDonogh	Elmore Thomas
A. R. Hudson	H. C. McGehee	John B. Thomas
Chas. L. Hunter	S. Lee McGohan	Geo. F. Thompson
J. W. Johnson	H. C. McLellen	S. G. Thornberry
Leslie P. Jones	W. B. O'Bannon	J. T. Thornton
W. H. Jones	A. J. Oliver	J. Wood Vance
Griffin Kelly	T. P. Oliver	Geo. C. Waggoner
W. F. Klair	W. F. Paris	T. R. Welch
H. A. Knollmann	Lilburn Phelps	E. G. Young
W. T. Lasley	Ote Piper	
S. D. Laughlin	Richard Radcliffe	

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Those who voted in the negative were—

Ed. L. Allen	B. S. Bailey	Fred Cornelius
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Resolved that the title thereof be as aforesaid.

Mr. A. J. Oliver moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. O'Bannon, of the Committee on Rules, offered the following written report amending House Rule No. 2, viz.:

Beginning Tuesday, February 26, there shall be held daily, except on Monday, two sessions, viz.: The forenoon

session, from 10:00 a. m. to 12:00 m., and the afternoon session from 2:00 to 4:00 p. m., said afternoon session solely for the consideration of bills embraced in the orders of the day. However, on Monday, the hour of meeting shall be 1:30 p. m., and the hour of adjournment 3:00 p. m., as now specified in rule two.

Mr. O'Bannon moved that said report of the Committee on Rules be adopted.

Said motion was agreed to.

Said report was adopted.

Mr. McDonogh offered the following resolution, viz.:

Whereas, Robert E. Dundon, correspondent of the Louisville Times, is known personally to the members of the House of Representatives, and has, by his pleasant manner and fair newspaper reports, gained their respect and friendship, and,

Whereas, the said Dundon has joined the United States Army and will soon be engaged actually in fighting for the advancement of civilization; now, therefore,

Be it resolved by the House of Representatives:

That the respect of its members be tendered him with their wishes for his safe return at the end of the war.

Resolved further, that this resolution be spread upon the Journal and copy delivered said Robert E. Dundon.

Said resolution was unanimously adopted by a rising vote.

Mr. Speaker Crowe laid the following communication on the Clerk's desk, which was read to the House, viz.:

“Bowling Green, Ky., February 21, 1918.

“*Robert T. Crowe, Frankfort, Ky.*

“The members of the Kentucky Assembly are cordially invited to attend three great programs of the Rural Life Conference, which will be rendered in this city beginning tomorrow, February 22nd. The program includes patriotic music, the pageant Democracy Triumphant, addresses by men of world wide reputation, including ex-President Taft. The regents, faculty, student body of the Western Normal, and citizenship of Warren county join me in this earnest invitation.

“H. H. CHERRY.”

Mr. Badcliffe moved that said invitation be accepted by the House.

Said motion was agreed to.

Mr. Murphy offered the following resolution, viz.:

Whereas, the committee appointed by the Speaker of both houses of the General Assembly to investigate and report all useless offices which are now in existence and said report has been made to both branches of the General Assembly, therefore,

Be it resolved by this House that the Committee on Public Offices be, and is, hereby instructed to draft bills and introduce the same in this House in compliance with the report of the investigating committee, for the abolition of useless offices, and all bills should carry an emergency clause, so as to abolish all officers from and after its passage.

Mr. Klair moved that said resolution be referred to the Committee on Public Offices.

Said motion was agreed to.

Mr. Welch, of the Special Joint Committee of the Senate and House, to investigate the conditions existing in the charitable institutions of the State, offered the following report in writing, which was read to the House, viz.:

Report of the joint committee of the Senate and House of Representatives which visited the charitable institutions of the State for the purpose of investigating the conditions existing in such institutions for the purpose of recommending such legislation, including appropriations, as might in the opinion of the committee, be necessary for the maintenance of such institutions during the coming two years.

The joint committee of the Senate and House of Representatives, which visited the various charitable institutions of this State during the past week, would respectfully report to the Senate and House of Representatives that we proceeded as a body, first to the Central State Hospital for the Insane, at Lakeland, Ky., and there carefully inspected said institution, visiting all the various departments thereof, and we beg leave to report that we found said institution in splendid condition, except for the matter hereinafter set out. Then from the Central Hospital for the Insane, at Lakeland, Ky., we proceeded to visit the School for the Blind, at Louisville, Ky., and carefully went over the building and inspected the various wards, and visited the buildings used in connection therewith. From there we proceeded to the Confederate Home, at Pewee Valley, Ky. We then proceeded to the Western State Hospital for the Insane, at Hopkinsville, Ky., and made a careful investigation of the various departments of said institution. From there we proceeded to Danville, Ky., and there visited the School for the Deaf and Dumb. We then proceeded to the Eastern State Hospital for the Insane, at Lexington, Ky., and carefully inspected and investigated the conditions prevailing at such institution. Afterwards we visited the Feeble-Minded Institute, at Frankfort, Ky.

It was apparent from the outset to your committee that it

would be impossible to maintain these various institutions on the amount per capita that they have been receiving at the hands of these bodies. Everything bought for every branch of these institutions has advanced in price from 40 to 125 per cent. The three charitable institutions have been receiving a per capita of \$155.00 for a number of years, and that sum is unquestionably too low to longer maintain these institutions, considering the fact that salaries of all attendants and employes, clothing, food, medicines and other incidentals are covered by this appropriation. These institutions have incurred a deficit of about \$92,000.00 as on January the first, 1918. This, of course, must be paid and in order that this condition may no longer exist and that no further deficit be incurred, we earnestly believe that a per capita of sixteen and two-thirds dollars per month or a yearly per capita of \$200.00 per patient is absolutely necessary for the maintenance of these institutions, having reference to the three hospitals for the insane heretofore set out.

In addition thereto we respectfully submit that in our opinion it is absolutely necessary that a special appropriation of \$20,000.00 be made for the benefit of the Central State Hospital for the Insane, at Lakeland, Ky., for the equipment of the new kitchen which has heretofore been built, and which cannot be used; for the repair of the cold storage and ice plant, and for the repair and for new equipment of the boiler room.

We further recommend that in addition to the per capita of \$200.00 per year per patient at the Western State Hospital for the Insane, at Hopkinsville, Ky., that there be appropriated the sum of \$15,000.00 for the purpose of building and equipping a tuberculosis hospital, which we believe to be absolutely necessary, as at this time there are eighty-three persons on the general ward which should be segregated.

In addition to the \$200.00 per capita per year for the Eastern State Hospital for the Insane, at Lexington, Ky., we

recommend that there be appropriated the sum of \$10,000.00 for the purchase of new boilers, the repair of wards, floors, etc.

We are further of the opinion that there should be appropriated to the School for Deaf and Dumb, at Danville, Ky., the sum of \$200.00 per capita, which we think necessary for the successful maintenance of said school. No deficit exists against this institution, but during the preceding year, the superintendent of this school was compelled to shorten the school term for two months in order that a deficit might not be incurred. We think that this should be avoided, and the school should be kept going for the full period heretofore existing. In addition to the \$200.00 per capita, we respectfully submit that there should be a special appropriation of \$3,500.00 to this institution for the purpose of equipping a printing office and repairing the boilers at said institution.

For the Kentucky School for the Blind, at Louisville, Ky., there be appropriated the sum of \$25,000.00 for the maintenance of such institution and that a special appropriation of \$15,000.00 be made for the purpose of equipping shops, wherein the advanced students of this school, together with the adult blind that may be in such institution, may learn useful trades and callings, and be able to avoid becoming charges upon this Commonwealth. This is urgently needed from the fact that not only the students in the school should be trained to useful callings and trades when required to leave the school, but in order that we may be able to co-operate with the Federal Government in its plan to assist in teaching various useful trades and callings to such of our soldiers and sailors who may return from the armies maimed and blind.

For the Confederate Home, at Pewee Valley, Ky., we respectfully report that they will be unable to live on the present appropriations, owing to the advanced prices of all commodities necessary to the maintenance of such institution, and we respectfully recommend that the appropriation be increased from \$3,500.00 per month to \$5,000.00 per month.

For the Feeble-Minded Institute, at Frankfort, Ky., the committee recommends that in addition to the per capita allowance of \$200.00 that there be appropriated the sum of \$15,000.00 for the construction and installation of a sprinkling system as a protection against fire at said institution. This is most urgently needed at this time, and we deem it very dangerous to allow this institution to longer remain without adequate protection against fire, being situated as it is on ground higher than the water works at Frankfort, Ky. The institution is practically without any protection whatever in case of fire. It is practically certain that a fire of serious consequences if once started would consume the entire plant and greatly endanger the lives of many of the inmates at said institution.

The committee further report that they were highly pleased with the conduct of the officers and the general management of all these institutions. They were agreeably surprised at the high standard maintained in the management of these institutions, and we desire especially to commend these institutions on being able to secure the high class of help, attendants, nurses, etc. We believe that there has been absolutely no waste committed in any of them, and that they have been conducted as frugally as it were possible, consistent with the food and clothing that has been furnished to the various patients and inmates of these institutions, but in order to maintain the high standards which have been heretofore existing and to continue to maintain such institutions so that the same may remain a credit to the State, the appropriations recommended herein should be passed as recommended. Your committees have given these matters a most careful and thorough consideration, and the estimates set forth herein are the lowest which in the opinion of the committee are necessary for the suitable maintenance of these institutions. When the condition of the treasury of this State is such that it will bear the additional appropriation, we be-

lieve it to be necessary that a thorough overhauling and partial reconstruction be made of the buildings and wards of the Eastern State Hospital for the Insane, at Lexington, Ky., owing to the fact that this institution is the oldest in the State and that the buildings and equipment are less modern.

The committee further reports that they then proceeded to the Kentucky Children's Home Society, at Louisville, Ky., and made a careful investigation of the conditions prevailing there, and desire to say that they found the building and equipment in first class condition, and very clean and sanitary. They further desire to say that the superintendent of this institution is a man whom they believe to be eminently fitted for the discharge of his duties and that he has been enthusiastic and conscientious in his work and that a great deal of good is being accomplished by this institution. In conclusion, the committee desires to say that they entertain the highest regard for the personnel of the State Board of Control, that it is composed of men who possess ability and integrity, fitting them for the discharge of their duties; they are enthusiastic and interested in the work, and apparently are giving the same their whole heart and attention.

All of which is most respectfully submitted.

W. E. ROGERS, *Chairman.*

HAYNES CARTER,

ROBERT ANTLE,

S. P. PARKS,

B. M. TAYLOR,

W. A. FROST,

MERRIWETHER SMITH,

LEROY S. BONTA,

F. A. EASTERLING,

R. J. CAIN,

H. C. McGEHEE,

H. C. CHAPPELL,

ROBT. BAYS,

T. R. WELCH,

W. N. WINN.

Mr. L. B. Hamilton moved that said report be printed in the manner and form as bills are printed and laid upon the desk of each member, and that said report be referred to the Committee on Appropriations.

Said motion was agreed to.

By the unanimous consent of the House, the rules were suspended and the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. A. J. Oliver:

H. B. 441. An act to amend article 1, section 2 thereof, of chapter 9, of an act of the General Assembly of 1893, approved February 27, 1893, relating to the Auditor, which is section 138, Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Appropriations.

By Mr. McDonogh:

H. B. 442. An act to amend and re-enact chapter 126 of the Acts of 1912, being section 4759z of the Kentucky Statutes, entitled an act to regulate the assignment, sale, pledge, mortgage and other transfer of wages to be earned or paid in the future where a whole or a part of the consideration therefor is a sum of money of less than \$200.00, approved March 18th, 1912.

To the Committee on Kentucky Statutes.

By Mr. Lasley:

H. B. 443. An act to amend and re-enact section 762c, subsection 1, and 762d, subsection 1, of the Kentucky Statutes, Carroll's 1915 edition.

To the Committee on Insurance, Fire and Marine.

By Mr. L. B. Hamilton:

H. B. 444. An act to amend section 3373 of Carroll's Kentucky Statutes, edition 1915.

To the Committee on Municipalities.

By Mr. Thornton:

H. B. 445. An act to regulate certain scaffolding or staging for the protection of workmen, requiring that in addition to the duties imposed by any law upon employes using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support such employers shall be subject to the provision of this act; fixing penalties for a violation thereof; and providing for the enforcement of this act by the Commissioner of the Bureau of Labor and Statistics.

To the Committee on Immigration and Labor.

By same:

H. B. 446. An act to authorize the county commissioners of any county to employ clerical assistance, fixing their compensation and manner of payment.

To the Committee on Kentucky Statutes.

By Mr. L. P. Jones:

H. B. 447. An act amending section 1961 of Kentucky Statutes, Carroll's edition, and repealing so much thereof as excepts persons who sell combination or French pools on race tracks during the races from the statute against setting up or operating machines or contrivances used in betting.

To the Committee on Criminal Law.

By Mr. Cook:

H. B. 448. An act to amend and re-enact section 4814b, Kentucky Statutes, edition 1915, relating to tobacco warehousemen.

To the Committee on Public Warehouses and Granaries.

By Mr. Embry:

H. B. 449. An act to amend and re-enact section 772a, Kentucky Statutes, relating to the operation of railroads in this Commonwealth.

To the Committee on Railroads.

By Mr. Spurrier:

H. B. 440. An act to amend and re-enact section 7 of chapter 7 of the Acts of the extraordinary session of 1917, relating to reports for corporation license tax.

To the Committee on Revenue and Taxation.

By same:

H. B. 451. An act to create the office of State Inheritance Tax Appraiser and to provide for the collection of inheritance taxes.

To the Committee on Revenue and Taxation.

By Mr. Murphy:

H. B. 452. An act permitting board of trustee in cities of the sixth class to cut and remove weeds at the expense of the property owner.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. Radcliffe:

H. B. 453. An act amending section 684 of subdivision IV of article IV, chapter 32, of the Kentucky Statutes, 1915, pertaining to insurance other than life.

To the Committee on Insurance, Life and Accident.

By Mr. Hardin:

H. B. 454. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern the Kentucky Institute for Feeble-Minded Children, and sections 2156 to 2171, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concerns idiots and lunatics, and to provide penalties for the violation of this act.

To the Committee on Appropriations.

By Mr. O'Bannon:

H. B. 455. An act to amend section 4281a of the Acts of the 1916 session of the General Assembly of the Commonwealth of Kentucky, being chapter 26 of said acts; providing for a progressive tax on direct and collateral inheritance.

To the Committee on Sinking Fund.

Mr. Laughlin moved that the House have printed one thousand copies of the report of the Probe Committee for distribution among the members of this House.

Said motion was agreed to.

Mr. Allen moved that this House do now adjourn.

Said motion was agreed to.

And then the House, pursuant to motion heretofore made and agreed to, adjourned to meet on Monday, February 25, 1918, at 1:30 p. m.

MONDAY, FEBRUARY 25, 1918.

The House was opened with prayer by the Rev, J. T. McGlothlin, pastor of the Baptist Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	W. P. Cropper	W. H. Jones
Chas. Ashby	James S. Cruse	Griffin Kelly
B. S. Bailey	J. C. Davis	W. F. Klair
L. D. Baldauf	A. A. Demunbrun	H. A. Knollmann
J. H. Ballard	Harry Dill	S. D. Laughlin
Robert Bays	F. A. Easterling	Joseph Lazarus
W. T. Beckham	I. H. Gabbard	M. E. Lee
B. C. Beckmann	M. E. Gilbert	J. E. Lilly
H. V. Bell	W. H. Hager	Clarence Miller
Leroy Bonta	J. S. Hall	Claude D. Minor
J. L. Bradford	A. L. Hamilton	S. H. Moore
O. V. Brown	L. B. Hamilton	Ryland C. Musick
T. L. Caudel	E. C. Hardin	A. J. McCandless
H. C. Chappell	B. H. Harris	H. C. McGehee
Everett Cobb	David J. Howard	H. C. McLellen
John Cook	A. R. Hudson	W. B. O'Bannon
A. S. Cooper	J. W. Johnson	A. J. Oliver
Fred Cornelius	Leslie P. Jones	T. P. Oliver

W. F. Paris	Joe Schneider	J. T. Thornton
Lilburn Phelps	R. T. Smith	S. G. Thornberry
Luther Pieratt	T. J. Smith	J. Wood Vance
Ote Piper	Thomas Spurrier	F. C. VanHoose
Richard Radcliffe	Ben Street	Geo. C. Waggoner
H. C. Rice	John W. Swope	E. G. Young
Lewis Ryans	Claude M. Thomas	
Avery Sartin	Elmore Thomas	—76

Upon motion of Mr. Knollman the reading of the Journal of Thursday, February 18th, 1918, proceedings was dispensed with and the Journal approved.

Upon a call of the counties and representative districts for the introduction of bills, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. A. J. Oliver:

H. B. 456. An act to amend section 4706, Carroll's edition of the Kentucky Statutes of 1915, entitled investment of funds by fiduciary.

To the Committee on Banks and Banking.

By Mr. Laughlin:

H. B. 457. An act to amend section 965, Kentucky Statutes, relating to circuit court in the Nineteenth Judicial District.

To the Committee on Circuit Courts.

By same:

H. B. 458. An act to regulate the standing of male animals for public service, specifying the blood lines of same, requiring registration and providing penalty for violation.

To the Committee on Agriculture.

By Mr. Demunbrun:

H. B. 459. An act to amend and re-enact sections 1697 and 1702, Kentucky Statutes, edition 1915, relating to exemptions of property from sale under execution, attachment, distress or fee bill.

To the Committee on Judiciary.

By same:

H. B. 460. An act providing for the appointment of a member of the State Tax Commission to succeed the Auditor of Public Accounts on said commission.

To the Committee on Revenue and Taxation.

By same:

H. B. 461. An act to amend and re-enact section 4122, Kentucky Statutes, edition 1915.

To the Committee on Revenue and Taxation.

By same:

H. B. 462. An act to require the members of the State Tax Commission, and the secretary of the State Tax Commission, to give separate bonds as such officers, and providing the conditions of said bonds, and fixing the amount thereof; also providing for the payment of the premiums thereon.

To the Committee on Revenue and Taxation.

By Mr. Klair:

H. B. 463. An act amending section 331a, Kentucky Statutes, relating to child labor.

To the Committee on Municipalities.

By same:

H. B. 464. An act to regulate the pressure and quality of natural gas furnished by gas companies, and prescribing a punishment for violation thereof.

To the Committee on Municipalities.

By Mr. L. B. Hamilton:

H. B. 465. An act prescribing the duties of the clerk of the State Fiscal Court, and providing compensation for his services required hereinunder.

To the Committee on County and City Courts.

By Mr. McGohan:

H. B. 466. An act requiring the pruning and spraying of orchards and fruit bearing trees, specifying dates and designating the character of fluid for spraying.

To the Committee on Agriculture.

By Mr. Cruse:

H. B. 467. An act authorizing the capital stock of national banks to be taken as security on bonds of said banks as trustee, executor, administrator or registrar of stocks and bonds.

To the Committee on Banks and Banking.

By same:

H. B. 468. An act to amend and re-enact section 1069, Kentucky Statutes, prohibiting the county judge from practicing law in certain cases and providing certain duties of the county judge and county clerk.

To the Committee on Judiciary.

By Mr. Piper:

H. B. 469. An act to amend section 130 of chapter 24, of the Acts of the General Assembly of 1916, which is an act codifying the school laws of this Commonwealth.

To the Committee on Education No. 1.

By same:

H. B. 470. An act to repeal subsections 22, 23, 24, 33 and 34 of section 1954c, Carroll's Statutes, edition 1915.

To the Committee on Retrenchment and Reform.

By Mr. Radcliffe:

H. B. 471. An act to provide a lien on motor vehicles for services or work done, or for accessories, or supplies furnished by garages, mechanics, repairmen or other individuals or corporations.

To the Committee on Public Roads and Highways.

By Mr. Beckmann:

H. B. 472. An act to amend and re-enact section 2922, Kentucky Statutes, Carroll's edition 1915, relating to appeals to circuit courts and Court of Appeals.

To the Committee on Kentucky Statutes.

By same:

H. B. 473. An act to amend section 362 of the Criminal Code of Practice concerning and relating to appeals from judgments of the county court, justice's court or a city or police court.

To the Committee on Kentucky Statutes.

By same:

H. B. 474. An act to amend section 1250 of the Kentucky Statutes, which provides for a stenographer for Commonwealth's attorney in counties having a population of two hundred thousand or over.

To the Committee on Municipalities.

By Mr. Sartin:

H. B. 475. An act changing Metcalfe county from the Tenth Judicial District into the Twenty-ninth Judicial District and repealing all laws in conflict therewith.

To the Committee on Redistricting, Judicial.

By Mr. Meyers:

H. B. 476. An act relating to revenue and taxation, and providing for payment of license for engaging in certain kinds of business.

To the Committee on Revenue and Taxation.

By same:

H. B. 477. An act relating to revenue and taxation, repealing subdivision 4 of article 12, chapter 22, of the Acts of the General Assembly of 1906, which act is entitled: An act relating to revenue and taxation, same being section 4224, Kentucky Statutes, and amending and re-enacting the same.

To the Committee on Revenue and Taxation.

A message was received from the Senate announcing that the Senate had concurred in House amendments proposed by the House of Representatives to Senate Bill entitled:

S. B. 84. An act dividing the Commonwealth of Kentucky into thirty-eight Senatorial Districts.

Also, that they had refused to concur in amendments proposed by the House of Representatives to Senate Bill entitled:

S. B. 61. An act to prohibit the shipment and delivery of intoxicating liquors in local option territory, and prohibiting any person in such territory from receiving such liquors, prohibiting the soliciting of orders for such liquors in said territory, and providing punishment therefor.

Mr. Waggoner moved that Senate Bill No. 61 and amendments thereto attached, be made a special order for Wednesday next, at eleven o'clock a. m.

As an amendment to said motion, Mr. Meyers moved that Senate Bill No. 61 and amendments thereto attached, be made a special order for Wednesday next, at two o'clock p. m.

Said last named motion was agreed to.

Said motion made by Mr. Waggoner as amended by Mr. Meyers was then agreed to.

A message was received from the Senate announcing that they had passed a bill originating in the House of the following title, viz.:

H. B. 125. An act empowering owners of farms to name them, and providing for the registration thereof, and preventing the use of the registered name for any farm other than the one registered.

Mr. Phelps offered the following Joint Resolution, viz.:

H. Res. 21. Joint Resolution providing for a commission of five, composed of the Chief Justice of the Court of Appeals, Attorney General, one member from the House of Representatives, to be appointed by the Speaker thereof, one member from the Senate, to be appointed by the President thereof, and the other member to be appointed by the Governor, said commission to be known as the Torrens Commission, whose duty it shall be to study and make report upon the Torrens System of recording land titles in this State.

Be it resolved by the Senate and House of Representatives:

That there is hereby created a commission to be known as the Torrens Commission, to consist of five members. One member shall be the present Chief Justice of the Court of Appeals, one shall be the present Attorney General, one member shall be appointed by the Speaker of the House of Representatives, one by the President of the Senate and one shall be appointed by the Governor.

Section 2. Duties.—It shall be the duty of said commission to make a study of the Torrens System of land title records with a view to adopting same, if practicable, to use in

the county court clerk's offices in this State. Said commission will consider the advisability of adopting the Torrens System of recording the evidences of title to real property, or a modification thereof, and will report, in writing, its conclusions, together with a brief statement of the reasons for said conclusions.

The members of the commission, or one of their number designated by them, if they deem the plan, or an adaptation thereof feasible, shall prepare a bill embodying the commission's ideas of what the law should be and shall transmit same, together with the report aforesaid, to both Houses of the next General Assembly, not later than the tenth day of the session.

Section 3. If a vacancy should occur by the death, resignation or the failure to act of any member, his place shall be filled by the remaining members acting together.

Ordered that said resolution lie on the Clerk's desk.

Mr. Phelps offered the following Joint Resolution, viz.:

H. Res. 22. Whereas, it is proposed by bills introduced at this session of the Legislature to make radical changes in our laws affecting labor and industry, and it appears impossible in the short time allotted to the session to give the subject the attention and study that its importance demands, now, therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

1. There is hereby created for this Commonwealth an Industrial Commission of not less than five nor more than nine members, to be appointed by the Governor, Lieutenant Governor and the Speaker of the House of Representatives, acting jointly. At least one member shall be a representative of organized labor; one shall be selected for his fitness to represent the agricultural interests of the State and one shall be

conversant with the mineral resources and development of the State; one member shall be appointed from each of the two Houses of the present General Assembly. If more than five are appointed, the appointing power before named shall choose such other men of ability and experience as shall seem best fitted to perform the duties herein set out.

2. Said Industrial Commission shall be appointed at a meeting of the Governor, Lieutenant Governor and the Speaker of the House at a meeting held by them for that purpose not more than sixty days (60) after the adjournment of this session of the Legislature. In the event of a failure of all to agree, a majority of said officials may select any member or members of the commission.

3. Duties.—Within sixty (60) days after the appointment of said commission, the members thereof shall meet at the seat of government or other convenient place designated by the Governor, of which the members shall have due notice, for the purpose of organizing and adopting a plan for carrying out the purposes of this resolution. The members shall elect one of their number chairman and another secretary.

It shall be the duty of the Industrial Commission to inquire into the following subjects, to-wit:

Industrial conditions generally, wages, hours and conditions of labor, enforcement of labor laws, the advisability of amending such laws, particularly with reference to number of hours of labor per day and per week, the effect of present labor conditions on the health and morals of women and children in gainful employment, relations of employers and employees.

Said commission shall hear and consider suggestions for the improvement of the conditions of labor and industry; the advisability or inadvisability of lessening the number of hours of labor per day or per week and such other matters affecting labor, industry, commerce, agriculture, mining and

general development and welfare of the State, as the commission shall deem most important.

Said commission shall hold not less than three public meetings at widely separated points in the State for the purpose of hearing and conferring with the representatives of labor, commerce, mining, agriculture and other important interests.

Advance notice of such meetings shall be given to the daily and weekly press with a request for free publication.

Said meetings shall be held if possible in some convenient public hall or auditorium in the town or city where the commission meets. The public and the representatives of the interests hereinbefore named shall be invited to attend and to discuss with the commission the matters herein stated.

The commission shall adopt such rules of procedure as will best promote order and expedition in the hearings.

For the purpose of securing information as to wages, hours of labor and industrial conditions generally as herein contemplated, the commission will call upon the Commissioner of Agriculture, Labor and Statistics of the State and other State officials, for such useful information as may be in their possession.

It shall be the duty of the commission, as far as possible, not only to study the laws of this State, but of other States, in so far as said laws may affect labor and industry and the general welfare of this Commonwealth.

4. Various Interests May Submit Data.—In addition to the conference herein provided for, it shall be the duty of the commission to receive and consider any written or printed briefs or documents submitted by any of the interests herein mentioned. Such briefs and documents must be prepared and presented without expense to the State. If marked "To accompany report of Industrial Commission" such briefs and documents shall be filed by the commission with its report at the time provided for in the next section.

5. The commission shall in as brief and concise form as possible, report in writing its conclusions as to the matters investigated by it. It shall briefly state its reasons for such conclusions. It shall make recommendations as to any changes in the labor laws that it may deem advisable. Such report shall be filed with the Governor of the State at least thirty (30) days before the convening of the next regular session of the General Assembly and shall by the Governor be transmitted, together with any briefs or documents that may accompany it, to the General Assembly at the session of 1920 at or about the time of the convening of said session.

6. Expenses.—The members of this commission shall receive no salary. Their necessary expenses incurred in the performance of their duties shall be paid out of the State Treasury by the itemized statements, as expenses of other officials are paid, but in no event shall the total expense amount to more than fifteen hundred dollars.

Ordered, that said resolution lie on the Clerk's desk.

Mr. L. B. Hamilton moved that the session of today be extended indefinitely.

Said motion was disagreed to.

Mr. L. B. Hamilton offered the following Joint Resolution, viz.:

H. Res. 23. Resolution for the benefit of the ministers of the Gospel of Frankfort.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the sum of three hundred dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to the ministers of the Gospel of

Frankfort who have opened the sessions of the House and Senate with prayer during this session of the General Assembly, said sum to be paid by the Auditor on the joint warrant of the Chief Clerks of the Senate and House of Representatives, who will distribute said sum to the ministers entitled to same.

Provided, that said sum of three hundred dollars shall be paid one-half to the Clerk of the House and one-half to the Clerk of the Senate, to be distributed by them to the ministers entitled to same.

Section 2. Whereas, it is but just and fair that these services should be paid for promptly, an emergency is declared to exist and this resolution shall take effect from and after its adoption.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Laughlin moved that the further reading of the report of Special Joint Committee of House and Senate to investigate the expenditures of the Commonwealth of Kentucky for its public institutions and State departments, be dispensed with and that said report be adopted.

Said motion was agreed to.

Mr. Musick moved that the session of today be extended until after the reading of the calendar.

Said motion was agreed to.

Mr. Thornton called up for consideration from the Clerk's desk a joint resolution of the following title, viz.:

II. Res. 17. Joint resolution proposing a visit by the Senate and House to Camp Zachary Taylor enabling the membership of these bodies to pay respect to the young men being there prepared to fight our battles.

(For said resolution see House Journal Feb. 13, 1918.)

Mr. Phelps moved that the visit of the House and Senate proposed in said resolution be fixed for the day after this week's adjournment.

As an amendment to said motion, Mr. Klair moved that the date for the visit proposed in said resolution be fixed for March 2nd, 1918.

Said last named motion was agreed to.

Said motion made by Mr. Phelps, as amended by Mr. Klair, was agreed to.

Said resolution, as amended, was then adopted.

Mr. Sartin offered the following resolution, viz.:

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That, whereas, the Hon. Robert T. Crowe, Speaker of this House, has, at his own expense, and upon his own initiative, been so kind and thoughtful of the individual membership of this body as to furnish each of us with an excellent portrait of himself, and,

Whereas, we wish to show our appreciation of his kind and affectionate consideration of us, therefore,

Be it resolved that the Sergeant-at-Arms of this House be instructed to collect from the membership of this body sufficient funds to purchase a handsomely framed membership group of this body and present same with the compliments of the membership of this House, to the Honorable Robert T. Crowe.

Mr. Speaker Crowe designated Mr. Sartin to preside as Speaker *pro tem* to take the vote on the adoption of said resolution.

Mr. Speaker Crowe vacated the Chair.

Mr. Sartin presided as Speaker *pro tem*.

Mr. Klair moved that said resolution be adopted by a rising vote.

Said motion was agreed to

Said resolution was adopted unanimously by a rising vote.

Mr. L. B. Hamilton offered the following resolution, viz.:

Whereas, it is essential to the successful prosecution of the war that our armies in the field, both at home and abroad, be fed, and,

Whereas, it is also necessary for the United States to produce sufficient food stuffs to assist in the feeding of our allies and their armies, and,

Whereas, before the war commenced there was not sufficient farm hands on the farms of the United States to operate said farms at their full capacity, and,

Whereas, in order to produce sufficient food stuffs and animal food in the United States and to get more employes on the farms, therefore,

Be it resolved by the House of Representatives:

That the Secretary of War, Secretary of Navy and the Congress of the United States be petitioned by this House to take all steps that may be necessary to leave on the farm, during the cropping season, all farm hands, whether they be land owners, tenants or employes, and to take such steps as

may be necessary to return to the farm all farm hands, whether they be land owners, tenants or employes.

Section 2. That copies of this resolution be certified to by the Clerk of the House and one copy each be sent to the Secretary of War, Secretary of Navy and to each member of the House of Representatives in Congress from the State of Kentucky, and to each Senator in the Senate from the State of Kentucky.

Said resolution was disagreed to.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 262. An act to locate a part of the State line between the States of Kentucky and Virginia, and to provide a commission to establish and mark said line, which is now and for a long period of time has been in dispute.

H. B. 297. An act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, and fixing the amount of said license, fixing the date of the expiration of the license provided for, and providing the manner for the registering and recording of the breed, name, age, color, sire and dam of the animal to be licensed, and fixing a fee for such registration, and fixing penalties for failure to procure licenses.

H. B. 64. An act to amend the Workmen's Compensation Act, re-enact sections 7, 16 and 17, to insert seven days in lieu of two weeks.

With an amendment thereto by way of substitute therefor.

S. B. 11. An act to amend section 965, Kentucky Statutes, relating to circuit courts in the Twelfth Judicial District.

S. B. 52. An act to amend that part of section 965, Kentucky Statutes, relating to the times for holding circuit courts in certain districts.

H. B. 279. An act changing the time of holding circuit court in the Twenty-fourth Judicial District, composed of the counties of Johnson and Martin.

S. B. 45. An act changing the time for holding the sessions of circuit court in the Ninth Circuit Court District of Kentucky.

H. B. 257. An act to amend section 1072 of the Kentucky Statutes, 1915 edition, providing for the salary of county judges and the installments in which the same shall be paid.

H. B. 317. An act to repeal an act entitled an act to incorporate the town of Dunnville, in Casey county.

H. B. 307. An act relating to cities of the fourth class, and providing for an appeal from the findings of the board of city tax commissioners.

H. B. 259. An act providing text books for indigent children and fixing the duties of county judges, superintendents of schools, trustees, teachers, supervisors of schools and truant officers.

H. B. 357. An act relating to loans by insurance companies.

H. B. 71. An act providing for a burial fund for persons under and over twelve years of age who die residents of Kentucky owning no property, and providing that the county of the residence of such person shall be liable therefor, and the manner in which application may be made for such fund, and how determined and manner of payment thereof.

H. B. 243. An act relating to the office of police judge in cities of the second class, in this Commonwealth.

H. B. 330. An act creating a State Board of Architectural examiners, providing for the examination and registration of architects, defining their qualifications, regulating the practice of architecture in the State of Kentucky and fixing penalties for violation thereof.

H. B. 250. An act to provide a system of universal transfers on street railways in counties containing cities of the first class.

H. B. 171. An act creating and relating to the office of county road engineer in counties containing more than 200,000 population and providing for his term of office, qualification, assistants and compensation, and repealing all laws in conflict herewith.

With an amendment thereto.

H. B. 100. An act for the relief of the worthy blind in the Commonwealth of Kentucky.

H. B. 296. An act to repeal sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3188 and 3189 of the Kentucky Statutes and to enact, in lieu thereof sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3187c, 3187d, 3187e, 3187f, 3187g, 3187h, 3187i, 3187j, 3187k, 3188, 3189, 3189a and 3189b, relating to revenue and taxation in cities of the second class.

H. B. 219. An act to amend and re-enact sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 edition, being a part of the charter of cities of the second class.

With an amendment thereto.

H. B. 352. An act entitled an act to amend sections 3486 and 3502, Kentucky Statutes, Carroll's 1915 edition, relating to cities of the fourth class.

H. B. 342. An act providing for the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand inhabitants or more, and repealing all laws or parts of laws in conflict herewith.

H. B. 298. An act to amend and re-enact sections 18 and 20 of the act approved March 7, 1914, entitled: An act relating to the establishment, protecting and building of levees for the public benefit, which appears on page 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessment against lands protected by levees for the purpose of raising money to pay the principal and interest on bonds and other liabilities of the district and levee commissioners which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of land may not be applicable.

H. B. 287. An act to amend article 1, section 7 thereof, of chapter 120, of an act of the General Assembly of 1893, approved January 13, 1893, relating to the State Inspector and Examiner, which is section 4625, Kentucky Statutes, Carroll's 1915 edition.

H. B. 179. An act to amend and re-enact chapter 126 of the Acts of 1912, being section 4758a of the Kentucky Statutes, entitled: An act to regulate the assignment, sale, pledge, mortgage and other transfer of wages to be earned or paid in the future where a whole or a part of the consideration therefor is a sum of money of less than \$200.00, approved March 18, 1912.

H. B. 213. An act to allow and permit coal mines and manufacturing plants to operate on Sunday during the war period.

H. B. 248. An act to amend and extend chapter 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 21, 1912, entitled, An act providing for the establishment and maintenance of free public libraries in cities of the first class (which is also section 2801b, subsection 3 of Kentucky Statutes, edition of Anno Domini one thousand nine hundred and fifteen (A. D. 1915) edited by Hon. John D. Carroll) and to authorize free public libraries of cities of the first class to mortgage property or to issue bonds thereon, and to authorize cities of the first class to guarantee the payment of any bonds issued by the said free public libraries, either the principal or interest or both.

H. B. 522. An act to amend section 1820 of Kentucky Statutes, Carroll's edition, providing for certain distances between ferries, establishment of same in towns and penalty for violation of same, and re-enacting the same.

H. B. 290. An act to repeal section 281, Carroll's edition of 1913, Criminal Code of Practice of Kentucky.

H. B. 319. An act to create the Thirty-seventh Judicial District of Kentucky, fixing the time of holding the courts thereof, providing for the appointment of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Twenty-seventh, Twenty-eight and Thirty-third Judicial Districts, so as to provide for said Thirty-seventh Judicial District, and changing and fixing the time for holding the courts in each of said districts.

H. B. 42. An act for the benefit of the Kentucky illiteracy Commission, appropriating money thereto, and pro-

viding for an annual census of illiterate adult men and women of meager education in the State.

With an amendment thereto.

H. B. 311. An act to repeal and re-enact as a substitute therefor section 687, Kentucky Statutes, the same being section 150 of an act entitled an act providing for the creation and regulation of private corporations, which became a law April 5, 1893.

H. B. 371. An act changing the time of holding circuit court in the Second Judicial District.

H. B. 130. An act regulating the tax of towns of the sixth class.

H. B. 283. An act amending an act entitled an act for the government of cities of the fifth class, approved July 3, 1895.

H. B. 197. An act to require the payment of all wages due to an employe who may be discharged.

With an amendment thereto.

H. B. 340. An act relating to public labor to prevent lockouts, promote industrial peace and to prevent interruption in the production of any article or thing necessary for the comfort and well being of the people of the State of Kentucky.

H. B. 61. An act to require corporations, firms, partnerships, or any concern employing laborers, when they issue script to their employes, to redeem said script in lawful money at the pay day same is payable under the law to the said employe.

H. B. 178. An act to amend an act, section 1309 of Kentucky Statutes, Carroll's 1915 edition, relating to carrying concealed deadly weapons.

H. B. 310. An act to amend sections two, fourteen and nineteen; to repeal and re-enact subsection twenty-one and subsection twenty-two of section twenty-four, and to amend section twenty-eight of chapter 19 of the Acts of 1916, entitled: An act creating the State Insurance Board, to supervise the operation of fire insurance rate-making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate making bureaus, requiring inspection and survey of such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the power of fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyds plan, and penalty for violation thereof, and repealing existing statutes, and to make sections fourteen and nineteen of said act applicable to stock casualty insurance companies and their agents.

H. B. 327. An act to establish an athletic board of control and prescribing the duties and powers of same and to license and regulate the giving or holding of sparring contests or exhibitions in this State; providing for the payment of a tax, and

licenses and prohibiting the sale of intoxicating liquors on the premises where any boxing exhibition is held, and prohibiting any betting or gaming at any such contest and providing for penalty for violation of this act.

H. B. 331. An act to amend section 561 of the Kentucky Statutes, Carroll's edition of 1915, providing for the termination of existence of corporations and how the same may be effected.

H. B. 333. An act to amend section 15 of an act entitled: An act concerning laws, and entitled "Laws," which was approved March 23, 1893, and which now constitutes section 2432 of the Kentucky Statutes, Carroll's edition of 1915.

S. B. 63. An act to amend section 1632 of the Kentucky Statutes, 1915 edition, compiled by the Hon. John D. Carroll, relating to rebinding and transcribing of books of records in counties having no official indexer.

H. B. 313. An act to repeal and re-enact section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and setting out more clearly the duty of the county court clerk in issuing marriage license.

H. B. 85. An act relating to revenue and taxation and amending section 4148, chapter 108, of the Kentucky Statutes, Carroll's edition, article VII, providing when State, county and district taxes shall be due and payable and providing for interest and penalty as they shall become due.

With an amendment thereto by way of substitute therefor.

H. B. 36. An act dividing Kentucky into one hundred Legislative Districts.

H. B. 349. An act relating to dogs; the promotion of live stock industries, and the protection of live stock and poultry from damages by dogs; providing for licensing dogs; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs, providing for listing of dogs by county assessors and penalty for his failure to so list; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, town and township officers and employes, and providing penalties.

H. B. 27. An act enabling the circuit courts of this Commonwealth to provide for the taking of depositions before the master commissioner of the court, or before a commissioner to be appointed by the court, in any equitable action or proceeding now pending or hereafter instituted in any such court, and authorizing such commissioner to hear and determine all questions relative to the introduction and competency of the evidence and to report upon the questions of law and fact made by the pleadings or contained in the order of reference entered by the court in such action or proceeding, and providing for a reasonable allowance to such commissioner for his services.

H. B. 28. An act to amend subsection 2 of section 552 of the Civil Code of Practice (Carroll's 1913 edition) concerning the taking of proof in equitable and ordinary actions, and providing for the taking of oral testimony in equitable actions and proceedings before the court.

H. B. 398. An act to amend subsection 15 of section 331a of the Kentucky Statutes relating to child labor.

H. B. 376. An act to require all persons, partnerships, incorporated companies and associations in this State, who furnish to the public natural gas, artificial gas, electricity or water for compensation, whenever they charge for the same by metrical computation, to provide and keep in repair the best and most approved meters, and to furnish competent persons, servants, agents and employes to read said meters, and to compute and report accurately therefrom, the amount of gas, electricity or water used by their several patrons, and to prohibit all such from attempting to collect more than is justly due from any of such customers or patrons, and to provide fines and penalties for the failure to comply with the provisions of this act.

H. B. 237. An act providing payment of fees for attorneys appointed by judges in criminal cases.

H. B. 305. An act to amend article 3, section 7 thereof, of chapter 8, of an act of the General Assembly of 1892, approved October 10, 1892, relating to attorneys, which is section 124 of Kentucky Statutes, Carroll's 1915 edition.

H. B. 306. An act to amend article 4, section 8 thereof, of chapter 8, of an act of the General Assembly of 1892, approved October 10, 1892, relating to attorneys, which is section 133 of Kentucky Statutes, Carroll's 1915 edition.

H. B. 411. An act to amend article 1, section 2 thereof, of chapter 47 of an act of the General Assembly of 1893, approved June 15, 1893, relating to fees, which is section 1721, Kentucky Statutes, Carroll's 1915 edition.

H. B. 291. An act to amend and re-enact section 107, Kentucky Statutes, Carroll's edition of 1915, relating to attorneys' fees and their liens therefor in the courts of this Commonwealth.

H. B. 368. An act to create the office of supervisor of parents, who are charged with willful desertion or abandonment of indigent children under the age of sixteen years, and to provide for the duties of such supervisor, and provide for the manner in which he is to be appointed and removed from office, and to provide for his compensation, in counties having a population of 200,000 or more.

H. B. 384. An act to authorize the appointment of the commanding officer of Camp Zachary Taylor as one of three members of a General Zachary Taylor Memorial Commission, who shall collect and spend the necessary funds to make the birth and burial place of General Zachary Taylor a lasting tribute to his memory.

S. B. 16. An act to amend and re-enact section 26 and to repeal section 27 of chapter 137 of the Acts of 1912, entitled: An act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties and repealing all laws in conflict therewith, approved March 19, 1912.

H. B. 528. An act to amend section 2055 of the Kentucky Statutes, relating to county health boards, in respect to counties containing cities of the first class.

H. B. 380. An act to amend and re-enact section 30 of chapter 1 of the acts of the extraordinary session of the General Assembly of 1917, and also to repeal and re-enact section 4239d of the Kentucky Statutes, edition 1915, relating to the duties and compensation of the county clerk in making certification of tax books, making out tax bills and recapitulation sheets.

S. B. 6. An act making it unlawful for any citizen or subject of any nation with which the United States is at war to have fire arms or other explosives in his possession.

S. B. 66. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative to the State Normal School for Colored Persons and amending and re-enacting same.

H. B. 225. An act to provide for county inspectors of apiaries and defining their duties, and providing for their compensation for the purpose of curing and avoiding foul brood and other diseases among bees and their hives.

With an amendment thereto.

H. B. 407. An act regulating the sale of nursery stock.

H. B. 282. An act to suppress, prevent, control and eradicate communicable diseases in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2, chapter 5, Carroll's 1915 edition, Kentucky Statutes.

With an amendment thereto.

H. B. 274. An act to provide for the payment of the clerical assistance of the Auditor of Public Accounts and for additional assistance for the proper conduct of said office.

H. B. 60. An act appropriating funds for the benefit of the Colored Normal School.

With an amendment thereto.

H. B. 200. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-operate with State and Government authorities in holding agricultural meetings and make an appropriation therefor.

With an amendment thereto.

H. B. 232. An act to amend section 965, Kentucky Statutes, relating to the times of holding the sessions of circuit court in the Twenty-first Judicial District.

S. B. 68. An act to amend and re-enact section 217 of chapter 24, Acts 1916, of the General Assembly so as to give magistrates and police courts of this State concurrent jurisdiction with the county courts in violation of the compulsory school law.

H. B. 84. An act to amend subsection five of section three hundred and thirty-seven of the Code of Practice in civil cases, relating to bills of exceptions.

H. B. 145. An act to amend and re-enact section 1155 of Carroll's Statutes, 1915 edition.

With an amendment thereto by way of substitute therefor.

H. B. 240. An act to amend and re-enact section 1267 of Kentucky Statutes relating to offenses against public peace.

H. B. 205. An act prohibiting the throwing or depositing of saw dust into any running stream outside of an enclosed plantation and fixing the penalty therefor.

H. B. 278. An act to provide for the compulsory education of deaf and providing penalties for the violation thereof.

H. B. 194. To provide for the teaching of elementary agriculture in the common schools of Kentucky, except in cities of the first, second, third and fourth classes, and to require teachers to be examined on said subject.

H. B. 361. An act to amend and re-enact section 3487, Kentucky Statutes, Carroll's edition of 1915, relating to city clerks of cities of the fourth class.

S. B. 38. An act relating to cities of the fifth class, chapter 89, Kentucky Statutes, and providing for the publication of the ordinance thereof and the advertising of such matters as are required to be made by such cities, and fixing a rate to be charged therefor by newspapers.

H. B. 375. An act amending section 2740, Kentucky Statutes, relating to towns of the fifth class and re-enacting the same.

H. B. 382. An act to amend and re-enact subsection 9 of 415b, of Kentucky Statutes, Carroll's edition 1915, relating to pensions for Confederate soldiers.

H. B. 316. An act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18th, 1916, relating to the distribution of State school funds and county school funds, length of school terms and payment of teachers' salaries and substituting new sections therefor; providing for the distribution of said funds for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

With an amendment thereto.

H. B. 269. An act to amend section 34, chapter 89, Kentucky Statutes, relating to the government of cities of the third class and providing for election of board of education.

H. B. 268. An act to amend section 3469, chapter 89, Kentucky Statutes, relating to board of education in third class cities.

H. B. 227. An act requiring the sheriff to account to the county board of education for all funds collected by him for school purposes.

H. B. 228. An act to amend section 4421, Kentucky Statutes.

H. B. 226. An act providing for the settlement of county superintendents with the county board of education and provisions concerning same.

H. B. 379. An act to amend the public school laws and to provide for the furnishing of free text books to pupils of the graded schools in cities of the first, second, third and fourth class and in all graded common school districts.

H. B. 412. An act requiring interurban railway companies operating in this Commonwealth to equip their passenger cars with bundle racks.

S. B. 47. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement or dissolution of temporary injunctions by a judge of the Court of Appeals.

H. B. 420. An act relating to assessment or co-operative life and accident insurance companies, amending section 681, Kentucky Statutes, 1915 edition, providing license for agents of foreign companies doing business in this State.

H. B. 339. An act to prevent fraudulent advertising in the State of Kentucky.

H. B. 363. An act to authorize the guardian of an infant curator or the committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for the removal of oil and mineral and

other mining purposes, and regulating the procedure therefor, and repealing chapter 99 of the Acts of the regular session of the General Assembly of the Commonwealth of Kentucky during the year 1916.

H. B. 421. An act to amend section 1321, Kentucky Statutes, so far as it affects cities of the first, second and third classes, and the territory adjacent to U. S. Army Cantonments.

H. B. 116. An act to regulate the practice of chiropraxy, to license chiropraxists and to punish persons violating the provisions thereof.

With an amendment thereto by way of substitute therefor.

H. B. 369. An act entitled an act to promote the public health by providing for compulsory medical examination and treatment of certain classes of persons convicted in cities of the first class of offenses involving certain immoral conduct.

With an amendment thereto by way of substitute therefor.

H. B. 377. An act entitled an act to repeal and re-enact subsection 4 of section 2759, Kentucky Statutes, Carroll's edition of 1915, relating to motor vehicles.

H. B. 284. An act to amend and re-enact subsection 5 of section 4356x of Carroll's 1915 edition of Kentucky Statutes, relating to system of public state roads.

S. B. 18. An act for the improvement of the public highways of this Commonwealth.

H. B. 389. An act entitled an act relating to the drainage of lands and to amend and re-enact sections 7, 10, 31, 34, 35

and 49 of chapter 132 of the Acts of 1912, said chapter being an act relating to the drainage of lands, the establishment and construction of public ditches, levees and drains and the straightening, widening, deepening or otherwise improving public levees, ditches, drains, creeks, or non-navigable streams, prescribing the method of procedure, the assessment and collection of the cost and expenses thereof, creating and incorporating boards of drainage commissioners and prescribing the duties and providing for the payment of officers and employes having duties to perform hereunder, which was approved by the Governor March 19, 1912, and which is now section 2380 of the Kentucky Statutes, and subsections 7, 10, 31, 34, 35 and 49 of said section 2380, being the parts thereof hereby amended, and to validate proceedings heretofore had under said act and said section 2380 of the Kentucky Statutes.

H. B. 233. An act concerning the annual statement or reports and returns of railway companies, required to be made and delivered to the Auditor of Public Accounts and the Railroad Commission under the provisions of Article 4 of chapter 208, Kentucky Statutes, edition 1915.

H. B. 341. An act making it unlawful for trespassers to interfere with railroad trains while in operation and prescribing a penalty therefor.

H. B. 338. An act regulating the employment of flagmen and yardmen by common carriers in the Commonwealth and providing a penalty for violating same.

H. B. 148. An act to amend section 1 of chapter 2 of the Acts of the General Assembly at the extraordinary session of 1917, relating to revenue and taxation.

H. B. 239. An act to prevent undervaluation of notes, bonds, accounts or other credits, secured or unsecured, or

shares of stock liable to assessment, and providing penalty therefor and giving power to the tax commission of this Commonwealth to impose and collect penalty imposed therefor, on the taxpayer or person required by law to list said property for taxation.

H. B. 320. An act conferring authority upon State Tax Commission to participate in and be made a party to all proceedings and suits for the appraisement of estates and the collection of inheritance taxes thereon and requiring certain notices and information to be furnished it by the judges and clerks of the county courts; and providing that it shall be represented by county attorney or by special counsel to be employed by it; and directing that all suits in foreign jurisdictions for the collection of said tax shall be brought by it; and empowering it to issue certificates authorizing domestic corporations to transfer stocks owned by non-resident decedents not subject to tax.

H. B. 378. An act to repeal and re-enact chapter 11 of the Acts of 1916, and section 3721 of the Kentucky Statutes, relating to the appointment of notaries public.

H. B. 293. An act to amend and re-enact an act of the General Assembly of the session of 1916, being chapter 21 of said act and entitled to act in relation to the semi-monthly payment of wages and salaries by corporations for pecuniary profit and providing penalty for violation of same.

With an amendment thereto.

H. B. 391. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes, Carroll's edition 1915, relating to elections, subhead, How Conducted; and subsections 7, 13, 14 and 15 of section 1550 of said statutes, relating to elections; declaring who is an "absent voter;"

permitting him to register and to vote in general primaries and general elections, providing a method therefor, and fixing penalties for a violation thereof.

H. B. 281. An act to amend and re-enact sections 3800a and 3813 (19), Kentucky Statutes, Carroll's edition 1915; said section 3800a relating to assistant deputy wardens of the penitentiaries of the Commonwealth of Kentucky and said section 3813 (19) relating to salaries of officers and guards of said penitentiaries.

H. B. 323. An act to authorize the board of prison commissioners to appoint a superintendent of State reformatory farms, at a salary of \$1,500 per annum, who shall be a bonded officer and submit monthly and yearly record of all transactions, approved by the warden of the State reformatory, for the consideration of the board. The large increase in values and the volume of business in this department make it advisable to have a bonded officer in charge of all receipts and expenditures.

H. B. 334. An act to amend section 1884 of Carroll's 1915 edition of the Kentucky Statutes.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read by their titles and ordered to be placed in the orders of the day.

And then the House, at three-thirty o'clock p. m. adjourned.

TUESDAY, FEBRUARY 26, 1918.

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist Church of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Ed. L. Allen	I. H. Gabbard	S. Lee McGohan
Chas. Ashby	Lark Garnett	H. C. McLellen
B. S. Bailey	M. E. Gilbert	W. B. O'Bannon
J. H. Ballard	W. H. Hager	T. P. Oliver
A. L. Baldwin	J. S. Hall	W. F. Paris
Robert Bays	A. L. Hamilton	Luther Pieratt
W. T. Beckham	L. B. Hamilton	Ote Piper
B. C. Beckmann	E. C. Hardin	Richard Radcliffe
H. V. Bell	B. H. Harris	H. C. Rice
Leroy Bonta	David J. Howard	Lewis Ryans
W. P. Bowman	Joe Huddleston	Avery Sartin
J. L. Bradford	A. R. Hudson	Joe Schneider
O. V. Brown	J. W. Johnson	R. T. Smith
R. J. Cain	Leslie P. Jones	T. J. Smith
T. L. Caudel	W. H. Jones	Ben Street
H. C. Chappell	Griffin Kelly	John W. Swope
Everett Cobb	W. F. Klair	Claude M. Thomas
John Cook	H. A. Knollmann	Elmore Thomas
A. S. Cooper	S. D. Laughlin	John B. Thomas
Fred Cornelius	Joseph Lazarus	J. T. Thornton
W. P. Cropper	M. E. Lee	S. G. Thornberry
J. C. Davis	J. E. Lilly	W. F. Trusty
A. A. Demunbrun	S. H. Moore	F. C. VanHoose
H. L. Dixon	Ryland C. Musick	G. Frank Walthal
W. G. Dycus	A. J. McCandless	T. R. Welch
F. A. Easterling	W. P. McDonogh	W. N. Winn
J. M. Elliston	H. C. McGehee	E. G. Young

On motion of Mr. Davis the reading of the Journal of yesterday's proceedings was dispensed with, and the Journal approved.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Cobb, of the Committee on Cities of the Fifth and Sixth Class:

H. B. 452. An act permitting board of trustees in cities of the sixth class to cut and remove weeds at the expense of the property owner.

By Mr. O'Bannon, of the Committee on Constitutional Amendments:

H. B. 354. An act to amend section 227 of the Constitution of the Commonwealth of Kentucky relating to removal of officers for the misfeasance, malfeasance or neglect of duty.

By Mr. Thornton, of the Committee on Public Monuments and Historical Records:

H. B. 437. An act to provide for a State flag for the Commonwealth of Kentucky and to prescribe the design thereof.

By Mr. Dill, of the Committee on Immigration and Labor:

H. B. 402. An act to amend subsection 4 of section 331a of Kentucky Statutes, Carroll's edition 1915, relating to the employment of children.

By Mr. Radcliffe, of the Committee on Insurance, Life and Accident:

H. B. 453. An act amending section 684 of subdivision IV of article IV, chapter 32, of the Kentucky Statutes, edition 1915, pertaining to insurance other than life.

By Mr. Beckmann, of the Committee on Municipalities:

H. B. 381. An act authorizing and empowering cities of the third class to lease, acquire, build, construct, equip, operate and own a line or lines of street railway within the limits of their corporate boundaries, and to provide the necessary rolling stock therefor, and such switches, turnouts, grounds, buildings and equipment for power houses and depots and power that may be necessary in the operation of such street railway line or lines, and to provide for the payment of the costs thereof.

By same:

H. B. 364. An act to amend and re-enact section 3276, subdivision 2 of article 4, chapter 89, Kentucky Statutes, and providing for the regular meetings of the common council and compensation of its members in cities of the third class.

By same:

H. B. 392. An act to repeal and re-enact section 11 of chapter 19 of the Acts of 1916, entitled: An act creating the State Insurance Board, to supervise the operation of fire insurance rate making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the powers of fire insurance companies; providing for agents'

license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyds plan, and penalty for violation thereof, and repealing existing statutes.

By Mr. Meyers, of the Committee on Corporate Institutions:

H. B. 324. An act relating to sale of property and assets of private corporations.

By Mr. Moore, of the Committee on Public Offices:

H. B. 271. An act fixing the fees of the county court clerk for issuing license.

With an amendment thereto.

By Mr. Welch, of the Committee on Public Health:

H. B. 373. An act relating to public health, repealing, amending and re-enacting section 2054, 2059, 2060, and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station, and for other purposes; creating county and district departments of health and providing and limiting the appropriations of

the State Board of Health and further defining its powers and duties.

With amendments thereto.

By Mr. Kelly, of the Committee on Public Ditches and Fences:

S. B. 194. An act to amend and re-enact sections 18 and 20 of the act approved March 17th, 1914, entitled an act relating to the establishment, protecting and building of levees for the public benefit, which appears on page 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessments against lands protected by levees, for the purpose of raising money to pay the principal and interest on bonds and other liabilities of the district, and levee commissioners, which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of lands may not be applicable.

By same:

H. B. 359. An act relating to the drainage and the prevention of overflow of lands, towns, cities, roads, streets, the establishment, organization and maintenance of drainage, levee and reclamation districts, the construction and maintenance of public ditches, canals, drains, sewers, dams, levees and the straightening, widening, deepening, enlarging and otherwise improving public ditches, drains, creeks, rivers, or other streams, prescribing the method of procedure, the levying and collection of assessment for the payment of the costs and expense of establishing and organizing such districts, the construction of such improvements, creating and incorporating board of drainage commissioners, and prescribing the

duties of commissioners and other officers and employes, and providing for the payment of such officers and employes performing duties, the issuing and selling of district bonds, with which to secure funds with which to defray the cost and expenses of improvements hereunder.

Without an expression of opinion.

By Mr. Hardin, of the Committee on Appropriations:

H. B. 97. An act for the benefit of the Kentucky School for the Blind; to provide an increase in the annual appropriation for the white department and for the colored department and to make an annual appropriation for the education and vocational training of the adult blind of Kentucky.

With an amendment thereto.

By same:

H. B. 127. An act for the benefit of the Kentucky School for the Deaf, white and colored, carrying an appropriation of fifty dollars increase in per capita, and special appropriations of twelve thousand nine hundred fifty dollars.

With an amendment thereto.

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 396. An act to amend an act entitled an act relating to Revenue and Taxation.

By Mr. Thornsberry, of the Committee on Retrenchment and Reform:

H. B. 350. An act to amend and re-enact sections 1 and 5 of an act entitled an act for the protection of game and fish, approved March 12, 1912.

With an amendment thereto.

By Mr. Pieratt, of the Committee on Ways and Means:

H. B. 56. An act to raise funds to be used to eradicate illiteracy from the Commonwealth of Kentucky, and to educate the children of the Commonwealth by taxing unmarried persons, and to provide a way and manner for collecting said tax.

By Mr. Lilly, of the Committee on Banks and Banking:

H. B. 433. An act to amend sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915, Carroll's edition, and to regulate the organization, incorporation, operation and management of building and loan associations; creating the department of building and loan associations in the office of the banking commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the opinion of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. B. 431. An act relating to building and loan associations, placing them under the charge of the Banking Department, and providing for an examination of their property, assets and business by that department.

By Mr. Oliver, A. J., of the Committee on Criminal Law:

H. B. 393. An act to repeal section 4758 of the Kentucky Statutes, and enact in lieu thereof an act to define vagrants and vagrancy and provide punishment therefor.

Said bills were severally read the first time at length, and ordered to be placed in the calendar.

Mr. McClellen called up for consideration from the Clerk's desk a resolution of the following title, viz.:

S. Res. 13. Joint resolution providing for payment of assistant for Superintendent of Public Printing.

(For said resolution see House Journal Feb. 21, 1918.)

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. C. Chappell	I. H. Gabbard
Chas. Ashby	John Cook	Lark Garnett
B. S. Bailey	A. S. Cooper	M. E. Gilbert
A. L. Baldwin	Fred Cornelius	W. H. Hager
Robert Bays	W. P. Cropper	J. S. Hall
W. T. Beckham	James S. Cruse	L. B. Hamilton
B. C. Beckmann	J. C. Davis	B. H. Harris
H. V. Bell	A. A. Demunbrun	David J. Howard
W. P. Bowman	Harry Dill	J. W. Johnson
J. L. Bradford	H. L. Dixon	Leslie P. Jones
O. V. Brown	W. G. Dycus	W. H. Jones
R. J. Cain	F. A. Easterling	Griffin Kelly
T. L. Caudel	J. M. Elliston	W. F. Klair

H. A. Knollmann	W. B. O'Bannon	T. J. Smith
S. D. Laughlin	A. J. Oliver	Ben Street
Joseph Lazarus	S. Lee McGohan	John W. Swope
J. E. Lilly	T. P. Oliver	Claude M. Thomas
Harry J. Meyers	W. F. Paris	Elmore Thomas
Clarence Miller	Luther Pieratt	J. T. Thornton
S. H. Moore	Ote Piper	W. F. Trusty
John T. Murphy	Richard Radcliffe	F. C. VanHoose
Ryland C. Musick	Lewis Ryans	G. Frank Walthal
W. P. McDonogh	Avery Sartin	T. R. Welch
H. C. McGehee	Joe Schneider	W. N. Winn
H. C. McLellen	R. T. Smith	

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There voted in the negative--

A. J. McCandless

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And so said resolution was adopted.

Mr. Klair moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Kelly moved that House Bill No. 166 be recommit-
ted to the Committee on Fish and Game.

Said motion was agreed to.

Mr. McDonogh moved that the rules be suspended and that House Bill No. 170 be made a special order for Thursday next at two o'clock p. m.

Said motion was agreed to.

Mr. Howard offered the following resolution, viz.:

Whereas, John R. Marsh, legislative correspondent of the Lexington Leader, has heretofore tendered his services to the government in the war for the liberties of the world, and,

Whereas, the government has accepted said tender by calling John R. Marsh to the branch of the service in which he volunteered; now, therefore,

Be it resolved by the House of Representatives of the Kentucky General Assembly:

That this House express its commendation of the sterling patriotism which inspires this splendid young man to surrender all the comforts of life—friends, home, kindred, his pleasant associations with us in this House—to lay down his life, if need be, on the altar of his country's interest; and, be it further

Resolved by this House, that we tender to John R. Marsh our united sincerest good wishes that he may uphold the traditions of a patriotic people and a patriotic State and come home safe from the war with a record of faithful service, well and nobly performed; and, be it further

Resolved, that a copy of this resolution be sent to the said John R. Marsh and to the Lexington Leader for publication in its columns and that it be spread on the Journal of the House.

Mr. C. M. Thomas moved that said resolution be adopted by a rising vote.

Said motion was agreed to.

Said resolution was unanimously adopted by a rising vote.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

H. B. 125. An act empowering owners of farms to name them, and providing for the registering thereof; and preventing the use of the registered name for any farm, other than the one registered.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill, which originated in the House and which had been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hardin moved that House Bill No. 149 be made a special order at eleven o'clock a. m. on Thursday next, and that Colonel B. H. Young be granted the privilege of appearing before the House at that time in the interest of said bill.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

S. B. 84. An act dividing the Commonwealth of Kentucky into thirty-eight Senatorial Districts.

Whereupon all other business was suspended, said bill was read at length and compared in open house, and found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill, which originated in the Senate, to the Senate.

Mr. L. B. Hamilton called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 23. Resolution for the benefit of the ministers of the Gospel of Frankfort.

(For said resolution see House Journal Feb. 25, 1918.)

Mr. L. B. Hamilton moved that the session be extended until the matter under consideration is disposed of.

Said motion was agreed to.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. D. Baldauf	Robert Bays
Chas. Ashby	J. H. Ballard	W. T. Beckham
B. S. Bailey	A. L. Baldwin	B. C. Beckmann

Leroy Bonta	E. C. Hardin	H. C. McLellen
W. P. Bowman	David J. Howard	W. B. O'Bannon
O. V. Brown	Joe Huddleston	A. J. Oliver
R. J. Cain	Chas. L. Hunter	W. F. Paris
T. L. Caudel	Leslie P. Jones	Luther Pieratt
A. S. Cooper	Griffin Kelly	Ote Piper
Fred Cornelius	W. F. Klair	Richard Radcliffe
W. P. Cropper	H. A. Knollmann	Lewis Ryans
J. C. Davis	W. T. Lasley	Avery Sartin
A. A. Demunbrun	S. D. Laughlin	Joe Schneider
Harry Dill	Joseph Lazarus	R. T. Smith
H. L. Dixon	M. E. Lee	Ben Street
W. G. Dycus	J. E. Lilly	John W. Swope
F. A. Easterling	Harry J. Meyers	Claude M. Thomas
J. M. Elliston	Clarence Miller	Elmore Thomas
I. H. Gabbard	S. H. Moore	John B. Thomas
Lark Garnett	John T. Murphy	S. G. Thornberry
M. E. Gilbert	Ryland C. Musick	J. Wood Vance
W. H. Hager	A. J. McCandless	Geo. C. Waggoner
J. S. Hall	W. P. McDonogh	G. Frank Walthal
A. L. Hamilton	H. C. McGehee	T. R. Welch
L. B. Hamilton	S. Lee McGohan	E. G. Young

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And so said resolution was adopted.

Mr. L. B. Hamilton moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

And then the House, at twelve o'clock noon, recessed until two o'clock p. m.

AFTERNOON SESSION.

A roll call to ascertain the presence of a quorum resulted as follows, viz.:

Ed. L. Allen	Lark Garnett	S. Lee McGohan
Chas. Ashby	M. E. Gilbert	H. C. McLellen
B. S. Bailey	W. H. Hager	W. B. O'Bannon
L. D. Baldauf	J. S. Hall	A. J. Oliver
J. H. Ballard	A. L. Hamilton	T. P. Oliver
A. L. Baldwin	L. B. Hamilton	W. F. Paris
Robert Bays	E. C. Hardin	Lilburn Phelps
W. T. Beckham	B. H. Harris	Luther Pieratt
B. C. Beckmann	David J. Howard	Ote Piper
H. V. Bell	Joe Huddleston	H. C. Rice
Leroy Bonta	A. R. Hudson	Lewis Ryans
W. P. Bowman	Chas. L. Hunter	Avery Sartin
J. L. Bradford	J. W. Johnson	Joe Schneider
R. J. Cain	Leslie P. Jones	R. T. Smith
T. L. Caudel	W. H. Jones	T. J. Smith
H. C. Chappell	Griffin Kelly	Thomas Spurrier
Everett Cobb	W. F. Klair	Ben Street
John Cook	H. A. Knollmann	John W. Swope
A. S. Cooper	W. T. Lasley	Elmore Thomas
Fred Cornelius	S. D. Laughlin	John B. Thomas
W. P. Cropper	Joseph Lazarus	S. G. Thornberry
James S. Cruse	M. E. Lee	W. F. Trusty
J. C. Davis	J. E. Lilly	J. Wood Vance
A. A. Demunbrun	Harry J. Meyers	F. C. VanHoose
Harry Dill	Clarence Miller	Geo. C. Waggoner
H. L. Dixon	S. H. Moore	G. Frank Walthal
W. G. Dyeus	John T. Murphy	T. R. Welch
F. A. Easterling	Ryland C. Musick	W. N. Winn
J. M. Elliston	A. J. McCandless	E. G. Young
L. L. Embry	W. P. McDonogh	
I. H. Gabbard	H. C. McGehee	

Mr. Bell moved that the rules be suspended and that House Bill No. 181 be taken from the orders of the day and placed upon its passage.

As an amendment to said motion, Mr. Lee moved that House Bill No. 181 be made a special order for tomorrow at three o'clock p. m.

Said motion was disagreed to.

Said motion made by Mr. Bell was then agreed to.

The House then took up for consideration House Bill No. 181, viz.:

An act making it unlawful to take certain varieties of fish from streams forming the boundaries between this State and any other State and from certain navigable streams in this State by seine or net or by hand and providing the necessary regulations therefor and defining the powers and duties of certain officers.

Mr. Klair moved that the further consideration of House Bill No. 181 be postponed until eleven o'clock a. m. tomorrow, and that said amendments proposed thereto be printed.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 109. An act relating to the maintenance of inter-county seat State aid roads.

To the Committee on Public Roads and Highways.

S. B. 110. An act regulating the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

To the Committee on Public Roads and Highways.

S. B. 137. An act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18, 1916, relating to the distribution of the State school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor; providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

To the Committee on Education No. 1.

S. B. 145. An act to amend and re-enact sections 4329 and 4325 and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's edition 1915, relating to public roads.

To the Committee on Public Roads and Highways.

Mr. Lasley moved that Senate Bill No. 6 be made a special order for ten-thirty o'clock a. m. tomorrow.

Said motion was agreed to.

Mr. Laughlin asked the unanimous consent of the House for the purpose of introducing bills, and moved that the rules be suspended in order that the bills may be introduced at this time.

Said motion was agreed to and consent granted by the House.

Thereupon the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Laughlin:

H. B. 478. An act to abolish certain offices, boards and commissions, together with all powers, privileges, duties, salaries and perquisites belonging or attached thereto.

To the Committee on Kentucky Statutes.

By same:

H. B. 479. An act to enlarge and extend the powers, duties and privileges of State Fire Marshal, providing for the appointment of a superintendent of rating board, and prescribing his duties and fixing his salary.

To the Committee on Kentucky Statutes.

By same:

H. B. 480. An act to create an Efficiency and Economy Commission, prescribing its duties and providing for the payment of the expenses thereof.

To the Committee on Kentucky Statutes

By same:

H. B. 481. An act requiring the custodian of the Capitol building and grounds to maintain a system and supervision of work of the employes under him, and providing a penalty for his failure to do so.

To the Committee on Kentucky Statutes.

By same:

H. B. 482. An act to fix the salaries of the following State officers.

To the Committee on Kentucky Statutes.

By same:

H. B. 483. An act to regulate and control the printing and publication by State departments, boards, commissions or institutions of reports, records, books or pamphlets pertaining to or connected with the business accomplishments or duties of such departments, boards, commissions or institutions.

To the Committee on Kentucky Statutes.

By same:

H. B. 484. An act empowering the Governor to exercise supervision over all State departments, commissions, institutions and officers, agents and employes connected therewith, as well as over all persons who perform any public service for which they are paid out of the State Treasury, and prescribing penalties.

To the Committee on Kentucky Statutes.

By same:

H. B. 485. An act to provide for the approval and payment of all members of boards, institutions, departments or commissions, accounts for traveling expenses of State officers, agents, attorneys or employes that are to be paid out of the State Treasury.

To the Committee on Kentucky Statutes.

By same:

H. B. 486. An act requiring the chairman of all commissions and boards and assistants, helpers, stenographers and employes engaged in office work for commissions and boards to reside in the city of Frankfort, and to devote their entire time to the duties assigned to them while engaged in their respective employments.

To the Committee on Kentucky Statutes.

By same:

H. B. 487. An act creating the office of Board of Agriculture and Live Stock, and to prescribe its duties, and for the appointment of its members, and fixing the salaries and expense.

To the Committee on Kentucky Statutes.

By same:

H. B. 488. An act to amend and re-enact section 3795 and section 2047, Carroll's 1915 edition of the Kentucky Statutes, and to create a bi-partisan board for the management and supervision of the penal and eleemosynary institutions of this State; to vest in this commission all the powers, duties and privileges now invested by law in the Board of Control and Prison Commission of the State of Kentucky, and to require the members thereof to devote their entire time to the duties of the office and the chairman thereof to reside in the city of Frankfort, and fixing the salaries of the members.

To the Committee on Kentucky Statutes.

By same:

H. B. 489. An act to amend and re-enact sections 1905c 2007a and 2007b, Carroll's 1915 edition of the Kentucky Stat-

utes and to create the office of Commissioner of Geology and Forestry, and provide for a deputy, and fixing of salaries.

To the Committee on Kentucky Statutes.

By same:

H. B. 490. An act to abolish the office of secretary of the State Insurance Board, attorney for the State Rating Board and office of Special Assistant Attorney General, and to repeal so much of section 762d of Carroll's 1915 edition of the Kentucky Statutes, and so much of section — of said statute as authorizes and permits the Insurance Commissioner of the State of Kentucky to receive \$600.00 per annum imposed by the act, and so much thereof as authorizes the Attorney General to employ an attorney to represent said board and so much of said statute as creates the office of and authorizes the payment of Special Assistant Attorneys General.

To the Committee on Kentucky Statutes.

By same:

H. B. 491. An act to enlarge and extend the powers, duties and privileges of the State Tax Commission, the State Librarian, the State Inspector and Examiner and the Confederate Pension Department of the State of Kentucky.

To the Committee on Kentucky Statutes

By same:

H. B. 492. An act to enlarge and extend the powers, duties and privileges of the State Board of Health of Kentucky, and to require the office thereof to be kept and maintained in the city of Frankfort, Kentucky.

By Mr. Phelps:

H. B. 493. An act to abolish the Board of Prison Commissioners and the State Board of Control of Charitable Institutions and to create in their places a new board of three members, who shall manage and govern all the institutions now under the management of the two boards abolished.

To the Committee on Kentucky Statutes.

By Mr. Beckham:

H. B. 494. An act to repeal chapter 143 of the Acts of the General Assembly of 1916, entitled: An act to regulate burial associations, corporations and companies doing business in the State of Kentucky, which became a law March 24, 1906, and chapter 72 of the Acts of the General Assembly of 1908, amending the above said act, which became a law March 27, 1908.

To the Committee on Kentucky Statutes.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

S. B. 14. An act making unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or moonshine still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person to buy, bargain, sell, loan, own, have in possession, or to operate, or aid, abet, assist or encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or "moonshine" still, and any person guilty of any offense enumerated in this section, shall, for the first offense, be fined not less than fifty dollars nor more than five hundred dollars and confined in the county jail not exceeding six months, and for the second offense confined in the penitentiary not less than one year nor more than five years, in the discretion of the jury.

Any judge, or justice of the peace, when affidavit is filed with him, describing the premises as nearly as may be where intoxicating liquors are distilled, brewed, or manufactured, or suspected of being distilled, brewed or manufactured, in violation of this act, shall immediately issue a warrant and cause any house, building, premises or other place, to be searched for the detection of any intoxicating liquors kept for the purpose of sale, or any stills, materials or parts of stills held, owned, sold or loaned or in possession of any person in violation of this act, and said officer receiving said warrant shall immediately proceed to execute the same and make due and proper returns of any defendant or stills, materials or parts of stills held in violation of this act, to the court, or justice issuing the warrant, and, if admission be not given on demand made, the officer, or other person in charge of the warrant, shall force an entrance into such house, building, premises or other place, and seize any intoxicating liquors, materials or still equipment, machinery or devices, being used or to be used in distilling, brewing or manufacturing intoxicating liquors and arrest the keeper or person or persons in

charge or in possession of such house, building, premises or other places, and carry such person or persons, and such intoxicating liquors, materials or still equipment, machinery or device before the judge or justice issuing the warrant to be dealt with according to law, and upon conviction of the person or persons, or any one of them, in charge of such house, or still equipment, machinery or device, for the manufacture of such intoxicating liquors, in violation of this act, the judge, justice of the peace or court trying such offender, or offenders, shall enter judgment against the defendant as herein provided, and shall declare the intoxicating liquors, still or stills, material or equipment, machinery or devices seized, or to be contraband and confiscate the same at once, and have the same immediately destroyed.

§ 2. If any person shall arrest, or directly or indirectly cause the arrest of any person guilty of violating section 1 hereof, within this Commonwealth, and shall secure the indictment and conviction of such person in a court of competent jurisdiction, the person so securing the arrest, indictment and conviction shall be entitled to a reward of fifty dollars for each defendant convicted, which reward shall be paid by the fiscal court of the county in which the indictment may be returned, out of the county levy of such county, not otherwise appropriated.

§ 3. An illicit or "moonshine" still under this act shall include an outfit or parts of an outfit commonly and exclusively used in the distillation of spirituous liquors, which is not at the time of trial duly registered in the office of a Collector of Internal Revenue for the United States, and the burden of proving that same is so registered shall be on the defendant under charge.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

§ 5. For the reason that the Federal Government has changed its policy with reference to the enforcement of the

laws against illicit distilling, and for the reason that numerous and divers illicit stills are now running in the Commonwealth, an emergency is hereby declared to exist, and this act shall become effective from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. P. Cropper	W. H. Jones
E. S. Bailey	A. A. Demunbrun	Griffin Kelly
L. D. Baldauf	Harry Dill	W. F. Klair
J. H. Ballard	H. L. Dixon	H. A. Knollmann
A. L. Baldwin	W. G. Dycus	W. T. Lasley
Robert Bays	J. M. Elliston	S. D. Laughlin
W. T. Beckham	L. L. Embry	J. E. Lilly
B. C. Beckmann	I. H. Gabbard	Harry J. Meyers
H. V. Bell	Lark Garnett	Clarence Miller
Leroy Bonta	M. E. Gilbert	S. H. Moore
W. P. Bowman	W. H. Hager	John T. Murphy
J. L. Bradford	A. L. Hamilton	A. J. McCandless
O. V. Brown	L. B. Hamilton	W. P. McDonogh
R. J. Cain	E. C. Hardin	H. C. McGehee
T. L. Caudel	B. H. Harris	S. Lee McGohan
H. C. Chappell	David J. Howard	H. C. McLellen
Everett Cobb	Joe Huddleston	W. B. O'Bannon
John Cook	A. R. Hudson	A. J. Oliver
A. S. Cooper	Chas. L. Hunter	T. P. Oliver
Fred Cornelius	Leslie P. Jones	W. F. Paris

Lilburn Phelps	Ben Street	J. Wood Vance
Ote Piper	John W. Swope	F. C. VanHoose
Avery Sartin	Claude M. Thomas	Geo. C. Waggoner
Joe Schneider	Elmore Thomas	G. Frank Walthal
R. T. Smith	John B. Thomas	T. R. Welch
T. J. Smith	J. T. Thornton	E. G. Young
Thomas Spurrier	S. G. Thornberry	—80

Those who voted in the negative were—

J. W. Johnson	Ryland C. Musick	—2
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Resolved, that the title thereof be as aforesaid.

Mr. R. T. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 112. An act to repeal section 3095 of the Kentucky Statutes and to enact in lieu thereof sections 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f, 3095g and 3095h, relating to the condemnation of property for public purposes of cities of the second class.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3095 of the Kentucky Statutes, Carroll's edition of 1915, relating to the condemnation of property for public purposes of cities of the second class be, and the same is, hereby repealed, and in lieu thereof the following

sections, to-wit, 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f, 3095g and 3095h, are now enacted.

“Section 3095. Proceedings in Circuit Court.—Whenever, in the opinion of the general council, board of commissioners or other governing body of any city of the second class, land or other property or right of way or easement over or through any property may be needed by the city for the purpose of opening, extending or widening any street, alley or other public way or sidewalk or for the erection of any public building or structure, or for the laying or construction of any sewer or sewage disposal field or plant or for any other public municipal purpose, either within or beyond the boundaries of the city and in the county in which such city is located, the said general council, board of commissioners or other governing body, may, by resolution reciting such need, order the condemnation of such land or other property, right of way or easement for such public purpose. The proceedings for such condemnation shall be in the circuit court of the county in which such city is situated, and shall be conducted in the name of the city by its authorized attorney or attorneys. The proceedings shall be commenced by filing a petition against all persons having an interest in the property, describing the land or other property, right of way or easement sought to be condemned, upon which summons shall be issued and said proceedings carried on as nearly as may be as actions at law by ordinary proceedings are conducted. Non-residents and persons under disability shall be proceeded against in the manner provided by the Civil Code of Practice. In such proceedings the owners of two or more different properties sought to be condemned for the same purpose may be proceeded against in a single action, or the owners of any piece of property may be proceeded against in a separate action.

Section 3095a. Commissioners.—Appointment to Assess Damages.—At any time after the filing of the petition, as pro-

vided in the preceding section, the city may apply to the court, or to the judge thereof, if the court be in vacation, to appoint commissioners to assess the damages which the owners of the property, right of way or easement to be condemned may be entitled to receive, and thereupon the said court, or the judge thereof if the court be in vacation, shall appoint three disinterested, impartial housekeepers of the county who are owners of land, and who shall be sworn to faithfully and impartially discharge their duties under this law. If the appointment be made by the judge in vacation, it shall be done by his written order to be filed with the petition in the case and which may be entered of record at any subsequent term of the court, upon motion of any proper party.

It shall be the duty of said commissioners, at as early a date as practicable, to view the land or other property, right of way or easement proposed to be condemned and to award to the owner thereof the value of the land or other property, right of way or easement proposed to be condemned; and they shall also award to such owner the incidental damages, if any, resulting to the adjacent lands of such owner, considering the purpose for which it is taken; but they shall deduct from such incidental damages the value, if any, of the advantages and benefits that will accrue to such adjacent lands from the proper use of the land, property, right of way or easement for the public purposes and uses intended. They shall return a report in writing to the office of the clerk of said court, stating their award and showing separately the amount allowed for the value of the land, easement, right of way or other property to be condemned and taken, the amount allowed for incidental damages, if any, resulting to adjacent lands and the amount deducted for advantages and benefits to the adjacent lands. They will make a separate report as to each separately owned parcel of property.

Section 3095b. Confirmation of Report.—As soon as the defendants shall have been summoned the length of time prescribed by the Civil Code of Practice before an answer is required, it shall be the duty of the court to examine said report and if it shall appear to be in conformity to this law, and to the extent that no exceptions have been filed thereto by either party, it shall confirm said report as to the owners and parties not excepting.

Section 3095c. Exceptions to Report.—Either party may file written exceptions to the report at any time before its confirmation. If the exceptions are based on the ground that the damages awarded are too small or too great, the exceptions must be accompanied by the affidavit of the party stating the amount of damages which it or he believes would be just and reasonable, and be supported by the affidavits of two other disinterested persons stating that the amount claimed by the excepting party would be just and reasonable. The difference between the damages awarded and the amount which the excepting party claims would be just and reasonable, shall be deemed the amount in controversy for the purposes of appeal. Exceptions or defenses for non-residents and persons under disability may be filed by any person authorized to make defense for such person under the Civil Code of Practice. The court may, for proper cause, extend the time to a party for filing exceptions, and it may require the parties to plead to an issue of fact to be submitted to a jury.

Section 3095d. Trial by Jury.—When exceptions have been filed by either party, and all parties have been properly summoned and are before the court and the issues made up, the court shall forthwith cause the case to be docketed for trial by a jury as other common law cases are tried, and it will, upon motion of either party, give said case preference over other common law cases on the docket. In the trial of the case the burden of proof shall be upon the party filing exceptions. The jury shall be sworn to ascertain and determine

truly and impartially by their verdict the amount of compensation the owner will be entitled to receive. In assessing damages and rendering their verdict, the jury shall be governed by the rule prescribed in section 3095a for the making of the commissioner's report and the court will so instruct the jury, and will render judgment in conformity to the verdict unless sufficient cause be shown for setting aside the verdict. Upon request of either party the jury may be sent by the court, in charge of the sheriff, to view the land, right of way, easement or other property sought to be condemned. The court shall make all proper orders, rules and judgments as will be necessary to secure to the parties a fair trial by an impartial jury. If more than one piece of property is involved, owned by different persons, the jury will render a separate verdict as to the property of each person, or the court may, in its discretion, direct a separate trial for each piece of property owned by different persons. If the verdict of the jury is more favorable to the party excepting than the award of the commissioners the additional costs accrued by reason of the filing of exceptions and subsequent proceedings shall be taxed against the other party, otherwise such additional costs shall be taxed against the party excepting. In either event the city shall pay all costs of the proceedings other than the additional costs incurred by reason of filing exceptions.

Section 3095e. When City Entitled to Possession.—Upon confirmation of the report of commissioners as provided in section 3095b or the assessment of damages by a jury as provided in section 3095d, and the payment by the city to the owners or into the court of the amount due, as shown by the report of commissioners or the judgment of the court, and all costs adjudged against the city, the court shall enter judgment vesting in the city the title to the land, easement, right of way or other property condemned, and the city shall thereupon be entitled to take possession thereof and to use and

control the same for the purpose for which it was condemned as fully as if the title had been conveyed to it; and the court shall, upon motion or request of the city, cause its commissioner to execute a deed of conveyance to the city therefor, which deed shall be executed as nearly as practicable in accordance with the rules governing the conveyance of property by commissioners when sold under order of court.

The city shall be allowed ninety days from the confirmation of the commissioner's report or from the rendition of the judgment within which to make such compensation and payment, and if the same be not made within said time, the said condemnation shall be deemed and treated as abandoned and any verdict or judgment rendered therein shall be set aside and the proceedings dismissed at the cost of the city, but without prejudice to any subsequent proceeding; provided, however, that the court may, for cause shown, extend the city's time for making such payment, but not to exceed one (1) year, and provided further that such extension of time does not materially prejudice the owner of the property.

Section 3095f. Disposition of Proceeds.—All money paid into court under the provisions of this law shall be received by the clerk of the court and held subject to the order of the court, and he and the sureties on his official bond shall be responsible therefor to the persons entitled thereto. The court will make proper orders for the payment of the money to such persons, and if they be infants or under disability, the court will make proper orders for the preservation of said funds as it may cause the same to be reinvested in the manner provided by law for the reinvestment of the proceeds of property of persons under disability sold by order of court. If the property condemned was owned by one or more persons for life, or for years with remainder over, the court may apportion said funds among the parties according to their respective interests or it may reinvest the same in other property to be held upon the same terms and limitations.

Section 3095g. Appeal.—An appeal may be taken by either party in interest from the circuit court to the Court of Appeals in the manner, and for the causes, and subject to the rules, provided by general laws regulating appeals from circuit courts to the Court of Appeals, but no appeal or supersedeas shall suspend the right of the city to have possession of the land, easement, right of way or other property condemned as provided in section 3095e.

Section 3095h. Condemnation for School Purposes.—Whenever, in the opinion of the board of education of any city of the second class, land or other property shall be needed for public school purposes of such city, either within or without the boundaries of the city in the county in which said city is located, the said board may, by resolution reciting such need, order the condemnation of such property; whereupon the said board may proceed to condemn the same for public school purposes in all respects in the manner provided for the condemnation of land and other property for public municipal purposes in the preceding sections 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f and 3095g, except that such proceedings shall be instituted and carried on in the name of the board of education.”

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
B. S. Bailey

L. D. Baldauf
J. H. Ballard

A. L. Baldwin
Robert Bays

W. T. Beckham	A. L. Hamilton	H. C. McLellen
B. C. Beckmann	L. B. Hamilton	W. B. O'Bannon
H. V. Bell	E. C. Hardin	T. P. Oliver
Leroy Bonta	B. H. Harris	W. F. Paris
W. P. Bowman	Joe Huddleston	Lilburn Phelps
J. L. Bradford	A. R. Hudson	Ote Piper
O. V. Brown	Chas. L. Hunter	Richard Radcliffe
R. J. Cain	J. W. Johnson	Avery Sartin
T. L. Caudel	Leslie P. Jones	Joe Schneider
H. C. Chappell	W. H. Jones	R. T. Smith
Everett Cobb	Griffin Kelly	T. J. Smith
John Cook	W. F. Klair	Thomas Spurrier
A. S. Cooper	H. A. Knollmann	Ben Street
Fred Cornelius	W. T. Lasley	John W. Swope
W. P. Cropper	S. D. Laughlin	Claude M. Thomas
A. A. Demunbrun	Joseph Lazarus	John B. Thomas
Harry Dill	J. E. Lilly	J. T. Thornton
H. L. Dixon	Harry J. Meyers	S. G. Thornberry
W. G. Dycus	Clarence Miller	J. Wood Vance
F. A. Easterling	S. H. Moore	F. C. VanHoose
J. M. Elliston	John T. Murphy	Geo. C. Waggoner
L. L. Embry	Ryland C. Musick	G. Frank Walthal
I. H. Gabbard	A. J. McCandless	T. R. Welch
Lark Garnett	W. P. McDonogh	W. N. Winn
M. E. Gilbert	H. C. McGehee	E. G. Young
W. H. Hager	S. Lee McGohan	

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Resolved, that the title thereof be as aforesaid.

And then the House, at four o'clock p. m., adjourned.

WEDNESDAY, FEBRUARY 27, 1918.

The House was opened with prayer by the Rev. Roger T. Nooe, pastor of the Christian Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

B. S. Bailey	J. S. Hall	T. P. Oliver
J. H. Ballard	E. C. Hardin	W. F. Paris
A. L. Baldwin	B. H. Harris	Ote Piper
Robert Bays	Joe Huddleston	H. C. Rice
W. T. Beckham	A. R. Hudson	Lewis Ryans
H. V. Bell	Chas. L. Hunter	Avery Sartin
W. P. Bowman	J. W. Johnson	Joe Schneider
J. L. Bradford	W. H. Jones	Claude B. Smith
O. V. Brown	Griffin Kelly	R. T. Smith
R. J. Cain	W. F. Klair	T. J. Smith
T. L. Caudel	H. A. Knollmann	Ben Street
H. C. Chappell	S. D. Laughlin	John W. Swope
Everett Cobb	Joseph Lazarus	Claude M. Thomas
John Cook	M. E. Lee	Elmore Thomas
A. S. Cooper	J. E. Lilly	John B. Thomas
Fred Cornelius	Harry J. Meyers	Geo. F. Thompson
W. P. Cropper	Clarence Miller	J. T. Thornton
James S. Cruse	Claude D. Minor	S. G. Thornberry
J. C. Davis	S. H. Moore	W. F. Trusty
A. A. Demunbrun	John T. Murphy	J. Wood Vance
Harry Dill	Ryland C. Musick	F. C. VanHoose
H. L. Dixon	A. J. McCandless	Geo. C. Waggoner
J. M. Elliston	W. P. McDonogh	G. Frank Walthal
I. H. Gabbard	H. C. McGehee	W. N. Winn
Lark Garnett	S. Lee McGohan	E. G. Young
M. E. Gilbert	H. C. McLellen	
W. H. Hager	W. B. O'Bannon	

Upon motion of Mr. Davis the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows. viz.:

By Mr. Huddleston:

H. B. 495. An act to prohibit during the period of war and for six months thereafter any race track, circus and moving picture shows.

To the Committee on Racing Commission.

By same:

H. B. 496. An act to prohibit the breeding of diseased animals or animals with defective eyes and providing a penalty against the same.

To the Committee on Agriculture.

By Mr. Chappell:

H. B. 497. An act to put into effect the amendment to section 201 of the Constitution, being chapter 125 of the Acts of the General Assembly of 1916, adopted by the voters of the Commonwealth at the November election of 1917; to give the Railroad Commission jurisdiction over the purchase or lease of one telephone company by another as required by such amendment.

To the Committee on Corporate Institutions.

By Mr. Klair:

H. B. 498. An act relating to suffrage and elections and providing a method of registering voters in this Commonwealth, and fixing penalties for violation of the law.

To the Committee on Suffrage and Elections.

By Mr. McGohan:

H. B. 499. An act to amend and re-enact paragraphs I, II, III, IV and V of section 3721 of chapter 91 of the Kentucky Statutes, Carroll's edition, 1915, and repealing chapter 11 of Acts of 1916, relating to notaries public.

To the Committee on Judiciary.

By Mr. Swope:

H. B. 500. An act to repeal an act to incorporate the town of Ford, Clark county, Kentucky, and an act amendatory thereto.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. McDonogh:

H. B. 501. An act to repeal and re-enact section 2802 of the Kentucky Statutes, Carroll's edition 1915, relating to executive boards of municipal corporations in counties containing cities of the first class.

To the Committee on Municipalities.

By Mr. O'Bannon:

H. B. 502. An act to repeal an act of the General Assembly of 1880, incorporating the town of McKinney, Lincoln county, Kentucky.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. Street:

H. B. 503. An act to repeal, amend and re-enact sections 52, 115 and 116 of chapter 24 of the Acts of 1916, in regard to the building, repairing and erection of school houses and out-buildings, Carroll's edition 1915, Kentucky Statutes, being chapter 113, being sections 4363 and 4535h inclusive, except sections 4421a and 4421b and sections 4527 to 4535c inclusive, and to re-enact the same chapter with the articles and sections corrected, re-arranged, simplified and the repealed sections and parts of sections omitted, and fixing the time of year at which text book adoption shall be made.

To the Committee on Education No. 1.

By Mr. Gilbert:

H. B. 504. An act to place county officials in counties containing cities of the second class upon a salary.

To the Committee on Municipalities.

The house took up for consideration the special order set for this hour, namely, ten-thirty a. m., a bill entitled:

S. B. 6. An act making it unlawful for any citizen or subject of any nation with which the United States is at war to have firearms or other explosives in his possession.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any citizen or subject of any nation with which the United States is at war, to have in

his possession or under his control any firearms of any kind or nature whatever, or any explosives of any kind or nature whatsoever, or the ingredients of any explosive from which explosives could be manufactured; provided, however, that any such person having in his possession or under his control any such forbidden article shall have ten days from and after the passage of this act to dispose of same.

§ 2. Any person violating any provision of this act shall be guilty of a misdemeanor and shall be fined not less than twenty dollars (\$20.00) nor more than one hundred dollars (\$100.00) or imprisoned in the county jail for not less than twenty (20) nor more than sixty (60) days, or be both so fined and imprisoned. Upon such conviction any such forbidden article shall be confiscated by and become the property of the Commonwealth and each day any provision of this act is violated shall constitute a separate offense.

§ 3. Any police officer of this State is hereby authorized summarily to arrest any person violating any of the provisions of this act and if the presence of any such article be suspected on or about the premises occupied by or under the control of such alien, enter and search such premises for the purpose of ascertaining whether any such forbidden article is in the possession of or under the control of such alien.

§ 4. On account of existing war conditions an emergency is hereby declared to exist and this act shall take effect from and after its approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	J. S. Hall	W. B. O'Bannon
W. T. Beckham	A. L. Hamilton	T. P. Oliver
B. C. Beckmann	L. B. Hamilton	W. F. Paris
H. V. Bell	E. C. Hardin	Luther Pieratt
W. P. Bowman	David J. Howard	Richard Radcliffe
J. L. Bradford	Joe Huddleston	H. C. Rice
O. V. Brown	A. R. Hudson	Lewis Ryans
T. L. Caudel	Chas. L. Hunter	Avery Sartin
Everett Cobb	J. W. Johnson	Claude B. Smith
John Cook	W. H. Jones	R. T. Smith
A. S. Cooper	W. F. Klair	T. J. Smith
Fred Cornelius	H. A. Knollmann	Ben Street
W. P. Cropper	W. T. Lasley	John W. Swope
James S. Cruse	S. D. Laughlin	Elmore Thomas
J. C. Davis	Joseph Lazarus	Geo. F. Thompson
A. A. Demunbrun	M. E. Lee	J. T. Thornton
Harry Dill	J. E. Lilly	S. G. Thornberry
H. L. Dixon	Clarence Miller	W. F. Trusty
W. G. Dycus	Claude D. Minor	F. C. VanHoose
F. A. Easterling	S. H. Moore	G. Frank Walthal
J. M. Elliston	J. T. Murphy	T. R. Welch
I. H. Gabbard	A. J. McCandless	W. N. Winn
Lark Garnett	H. C. McGehee	E. G. Young
M. E. Gilbert	S. Lee McGohan	
W. H. Hager	H. C. McLellen	

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Resolved, that the title thereof be as aforesaid.

Mr. Lasley moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Governor in writing, which was read to the House, and is as follows, viz.:

Gentlemen of the Senate and House of Representatives:

Your attention is requested to the report of a Joint Committee of the Senate and House of Representatives, recommending the abolition or consolidation of certain boards and commissions, and to the bills carrying into effect these recommendations. I can not too strenuously insist upon the immediate and, I trust, favorable consideration of each and every one of the measures essential to the program of retrenchment and reform proposed by this committee.

The gratitude of every citizen, who believes in an economical and efficient administration of public affairs, is due the committee and the able State Inspector and Examiner, whose indefatigable researches, instituted at the instance of the Governor, have made possible the celerity and thoroughness of this committee's complete readjustment of the executive departments of this Commonwealth.

Both political parties are irrevocably committed to the reforms to which your present attention is directed.

The platform upon which the party now in power was elected promised many reforms, and every pledge save one has been kept in letter and in spirit. This last covenant is vital and binding upon the honor of those who made it. In fact our failure to redeem this pledge would, in a measure, mar the splendid record already made by yourselves and your predecessors. I have every assurance that the platform declaration—

“We favor rigid economy in the administration of the State's affairs to the end that the people may receive a maximum of service at a minimum of cost”—

will, without delay, receive the stamp of your unqualified approval.

The last Republican platform was not less explicit or emphatic:

"We condemn . . . the creation of expensive offices and commissions, and the wasteful and extravagant expenditure of money, and we promise, if given power, to repeal such laws, to abolish superfluous offices, and reduce that of administration to the least possible point consistent with an economical and efficient system of government."

I have insisted repeatedly and with emphasis upon this reform in the administration of the executive departments.

In my inaugural address I said:

"The astute financier conducts a great enterprise by the employment of just so many persons as are necessary to its successful operation. Every superfluous employe is an evidence of the incompetence of those who retain him and the amount he receives is a waste of the legitimate profits of the business. In the conduct of the people's business the same sensible rule should apply."

In a message to the General Assembly, on January 4th, 1916, I insisted upon the elimination of the so-called "extra help." Pursuant to that suggestion, that body abolished twenty-four positions, including doorkeepers, pages, janitors and others employed in and about the capitol building, thereby securing a saving to the state of approximately \$200.00 a day in salaries previously expended

A Governor, of course, has no authority to abolish offices or to consolidate boards and commissions. That is the exclusive province of the General Assembly. He may recommend—you alone have the power to act. I do not mean to charge, or even to infer, that the preceding sessions of the General Assembly convened during this administration have been derelict in their duty by a failure to carry into effect the recommendations of this committee.

The extra session having been called for the sole purpose of reforming our taxing system, could consider no other subject.

The conditions and circumstances surrounding the regular session of the General Assembly rendered this elaborate and difficult program impossible of completion.

A careful survey of the work in hand has demonstrated the fact that the major portion of the economies effected by your committee's report is secured by the consolidation of various boards and commissions and the resulting elimination of a useless duplication of work—in short, by so organizing the public service that one man can do the work hitherto assigned to two or more persons.

This recommendation required the most patient and laborious analysis of the workings of every department of the State. Such a thorough scrutiny and reconstruction by the State Inspector and Examiner, or other State officer, between December 7th, the date of the inauguration of the Governor, and the following January 4th, the time of the convening of the General Assembly, was manifestly impossible. The inherent difficulty of this task and the elaborate legislative program, which confronted the first regular session of the General Assembly, prevented its acting at that time upon the suggestion of the Governor that all useless or unnecessary offices be immediately abolished.

In a most conservative and able discussion of this question, your joint committee has reported:

“It is the sense of this committee that the incumbents have the semblance of an equitable right to the unexpired terms of their respective offices. In arriving at this conclusion we have, more or less, been guided by a well recognized statutory law, namely: ‘No person appointed to an office shall be removed therefrom during the term of office for which he was appointed, unless for failure to discharge, or neglect in the performance of, the duties of his office, and unless notified in writing of the cause of his removal and the time and place to appear and defend his rights.’”

The wisdom and justice of this rule has been established by both time and experience. It has been approved by both Federal and State enactments, prescribing it as a rule of procedure in actions for the removal from office.

A law authorizing or permitting the removal from office, either with or without notice and trial, of an honest, efficient and faithful officer who is guilty of no wrong, would not be tolerated under our form of government. In proceedings to remove one from office, whether instituted in a court of justice or before the appointive authority clothed, by law, with power to remove from office, the incumbent's rights to the office as well as the interests of the State are, and of right should be, considered and jealously guarded and protected. No arbitrary or destructive blow should be dealt by the authority authorized to remove an officer or to abolish an office, to the one any more than to the other, or with less consideration for the one than the other, unless extraordinary and extreme conditions exist or compel it.

When exercising the power to abolish an office, we maintain that the General Assembly should be guided and controlled by some of the rules, and by the same sense of justice and fair dealing with which it has, by its prior enactments, safeguarded the rights of the office holder and the general welfare of the state in proceedings to remove an officer from his office. If the officer is efficient, honest, diligent and faithful, the legislature should be as mindful and as considerate and as cautious to guard and protect his rights as it has required the court to be in any proceeding to remove an incumbent from office."

I concur in the justice and wisdom of this committee's conclusions.

There is no difference between the moral right of an appointive and elective officer to the emoluments of the position for which he has been selected. The State should not do the humblest of its citizens an injustice, and the people of this

Commonwealth will neither ask nor expect you to practice economy at the sacrifice of the rights, legal or moral, of the humblest of its servants.

For the reasons I have assigned, I can not too strenuously insist upon the immediate enactment into law of the recommendations of this committee, which I am happy to state, have already received your approval. The bills embodying these reforms should be considered without delay and passed without material change or amendment.

Respectfully submitted,

A. O. STANLEY,
Governor of Kentucky.

Frankfort, Kentucky, February twenty-sixth, nineteen
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Mr. Laughlin moved that said message from the Governor be received and filed.

Said motion was agreed to.

The House then took up for consideration the special order set for this hour, namely, eleven o'clock a. m., a bill entitled:

H. B. 181. An act making it lawful to take certain varieties of fish from streams forming the boundaries between this State and any other State and from certain navigable streams in this State by seine or net or by hand and providing the necessary regulations therefor and defining the powers and duties of certain officers.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be lawful for anyone to take or catch by the use of seines and hoop nets without wings, the mesh

thereof to be not less than two inches square, any cat fish, buffalo, carp, drum, any variety of suckers, garrs, grenals or mud fish, from any stream or streams forming the boundary or any part of the boundary between this State and any other state or states and from the head of navigation to the mouth of any navigable stream in this State, which is under lock and dam; provided, no person shall catch or attempt to catch, by seines or nets, or place any seines or nets in any of these streams within one-quarter of a mile from the mouth of any stream entering the same nor within one-quarter of a mile of any lock or dam located in or on such stream or streams. Such seines or nets shall not be used for catching or taking small mouth black bass, white bass, rock bass, gogle eye and bream and whenever such fish is caught the same shall be returned without injury into the waters from which it was taken. It shall be unlawful for anyone to operate any nets or seines pursuant to the provisions of this section unless such person or persons shall have procured a license for the use of such nets or seines and complied with the provisions hereinafter set out. It shall also be lawful for any person or persons to take such fish by hand for their private use from so much of the tributaries to such border streams as actually overflow by the waters of such border streams.

§ 2. County Clerk to Issue Licenses for Seine and Nets. —Any person who has been a *bona fide* resident of this state for one year next past may procure a fisherman's net or seine license for himself or herself by filing his or her affidavit with the county clerk of the county in which he or she resides, stating his or her age, place of residence, post office address, height, color of eyes and hair, and the fact whether he or she can write his or her name, and by paying to the said county clerk the sum of \$1.25, which license, when attached to the net, shall entitle him or her to possess or use it in any of the streams mentioned in section 1 of this act, but nothing herein contained shall authorize anyone to go upon private property without the owner's consent.

§ 3. Non-Resident Fishing License—How Obtained.—Any non-resident of this State or person who has not been a resident of this State for one year may procure a fisherman's seine or net license by filing his or her affidavit with the county clerk of any county in this State, stating his or her age, place of residence, post office address, height, color, color of his or her eyes and hair, and the fact whether he or she can write his or her name and by paying to the said county clerk the sum of \$5.25 for each license, which shall entitle him or her to fish in any streams mentioned in section 1 of this act, but nothing herein contained shall entitle such person to go upon private property without the owner's consent.

§ 4. County Clerk to Issue Fishing License.—The county clerk shall issue all fishing license, resident and non-resident, to all persons complying with the provisions of this act and shall sign the same and shall require the person to whom the license is issued to sign his or her name on the margin thereof. He shall keep a correct and complete copy of all licenses issued in a book to be furnished by the Game and Fish Commission, which record shall remain in his office and be open to the inspection of the public at all office hours.

§ 5. License Delivered to and Returned by County Clerks.—The Game and Fish Commission shall deliver to each county clerk in the State, ten days before the first day of January in each year, as many licenses as may be required and shall charge said clerk for the number issued to him; on the fifteenth day of January of each year and within ten days thereafter each county clerk shall return to the commission all unused license, tags, stubs of license used, which he has received for the preceding calendar year. The license herein authorized shall specify the calendar year for which it is issued and shall expire on the thirty-first day of December of said calendar year.

§ 6. No Person Shall Fish Without License.—No person to whom a license is issued under the provisions of this

act, shall be entitled to own, store or have in possession any nets or to use the same for fishing in the streams above mentioned, unless he has first procured his license and attached a metal tag to the net or seine as provided in this act, whether said net or seine is in use or not.

§ 7. Fishing Without License Prohibited.—Any person who uses a net or seine in this State, as authorized by this act, without first procuring a license permitting him or her to do so, or any person who loans or transfers his or her fishing license to another, or who uses a net in any streams other than those herein described and set out, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$15.00 nor more than \$100.00 or confined in the county jail not less than ten days nor more than thirty days, or both such fine and imprisonment, within the discretion of the jury.

§ 8. Metal Tags to be Furnished by County Clerk.—Upon the issual to any person or persons of a license authorizing him or them to fish by nets or seines under the provisions of this act, it is hereby made the duty of the county court clerk issuing such license to furnish or provide the licensee with two or more metal tags, which shall be so numbered as to distinguish them from any other metal tag issued, and which shall be furnished to the county clerk by the Game and Fish Commission. The licensee shall, at all times while fishing with seines or nets, as provided herein, have upon his person one of those tags and the other or others shall be attached to the seines or nets whether in use or not. The clerk shall furnish the licensee with as many of these tags as there are seines or nets to be used and the clerk shall keep a record of the number issued and the serial number of the metal tags.

§ 9. Duties of Game and Fish Wardens and Certain Peace Officers.—It shall be the duty of the Game and Fish Wardens or such other person or persons appointed by the Game and Fish Commission, sheriffs and their deputies, constables and their deputies and all peace officers within this

State, to enforce the provisions of this act for the protection, preservation and propagation of fish. They may arrest on sight without warrants any person detected by them or any of them in the act of violating any of the provisions of this act. They shall have the same right as sheriffs to require aid in arresting without process or with process any person or persons found by them in the act of violating the provisions of this act; and they or any of them shall have authority to seize without process any nets or seines found in the possession of anyone, when said nets or seines do not bear a license attached, and it shall be their duty to destroy any and all nets found within one-quarter of a mile from the mouth of any stream entering into any of the streams mentioned in section 1 of this act, or within two hundred yards of any lock or dam, and no liability shall be incurred by any person so charged or directed.

§ 10. Cost of Prosecution—How Taxed.—When an arrest for the violation of the fish and game laws of this state is made by the executive agents of the Game and Fish Commission or by any warden or person appointed by said commission, sheriff or his deputies, constable or his deputies or peace officers and the defendant is convicted, there shall be taxed as costs in favor of such executive agents, warden or other officer making the arrest, the same fees as a constable is entitled to for making an arrest in a misdemeanor case, and if collected from the defendant shall be paid to the said executive agents, wardens or other officers, as compensation for making said arrest. No fee shall be allowed to any officer for making an arrest unless the party accused is convicted.

§ 11. Fines and Penalties—Distribution.—After the payment of the percentage of fine allowed by law to other public officers, one-half of the remainder of all fines, forfeitures and penalties collected under this act, shall be paid to the executive agents, wardens or persons appointed by the

commission, sheriff or his deputies, constable or his deputies or peace officer, securing the apprehension and conviction. In case of conviction a fee of \$5.00 shall be taxed as costs, to be paid to the person securing the conviction of the person or persons guilty of violating the provisions of this act. The fees and costs shall be paid to the parties entitled to same as directed in this act and the remainder thereof shall be forwarded to the State Treasurer and credited to the Fish and Game Protection Fund.

§ 12. Blanks and Other Printed Matter Provided.—The blanks, license, metal tags and other printed matter necessary to carry out the provisions of this act shall be printed under the direction of the commission and shall be paid for in like manner and upon the same terms as other public printing; the expense shall be charged to the Game and Fish Protection Fund.

§ 13. All laws or parts of laws in conflict herewith are hereby repealed.

The Committee on Fish and Game offered the following amendment to said bill, viz.:

Amend House Bill No. 181 by striking out the following words in said bill:

- “Seines and,” in line 2, section 1.
- “Seines or,” in line 8, section 1.
- “Seines or,” in line 9, section 1.
- “Seines or,” in line 12, section 1.
- “Or seines,” in line 16, section 1.
- “Or seines,” in line 18, section 1.
- “Seines and,” in line 2, section 2.
- “Or seine,” in line 3, section 2.
- “Seines or,” in line 3, section 3.
- “Or seine,” in line 5, section 6.
- “Or seine,” in line 6, section 6.

- "Or seine," in line 2, section 7.
 - "Or seines," in line 3, section 8.
 - "Seines or," in line 8, section 8.
 - "Seines or," in line 10, section 8.
 - "Seines or," in line 12, section 8.
 - "Or seines," in line 12, section 9.
 - "Or seines," in line 13, section 9.
- Said amendment was disagreed to.

Mr. Piper offered the following amendment to House Bill No. 181, viz.:

Amend House Bill No. 181 by striking out section 1 and inserting in lieu thereof the following:

Section 1. That it shall be lawful for any one to take or catch, by the use of seines and hoop nets without wings, the mesh thereof to be not less than two inches square, all fish of any variety from any stream or streams forming a boundary, or any part of the boundary, between this State or any other State or States, and from navigable and non-navigable streams in this State. It shall be unlawful for any one to operate any nets or seines pursuant to the provisions of this section unless such person or persons shall have procured a license for the use of such nets or seines, and complied with the provisions herein set out. It shall also be lawful for any person or persons to take such fish by hand for their private use from so much of the tributaries to such border streams; provided, however, that no fish shall be taken from non-navigable streams under the provisions of this section except for home consumption.

Mr. Phelps offered the following amendment to the amendment offered by Mr. Piper, viz.:

Amend amendment offered by the member from Hickman county to House Bill No. 181 by adding at the end thereof the following:

Provided, further, that no license shall be necessary in order to authorize the taking of fish from non-navigable streams for home consumption only.

Said amendment to the amendment was adopted.

Mr. Dill offered the following amendment to the amendment offered by Mr. Piper, viz.:

An amendment to amendment No. 3 to House Bill No. 181, by inserting at the end thereof the following words:

And providing further, that in fishing in a stream which is a boundary between this State and some other State, a seine may be used the mesh thereof not less than one and one-half inches.

Said amendment to the amendment was adopted.

Mr. Radcliffe offered the following amendment to the amendment offered by Mr. Piper, viz.:

Amend amendment No. 3 to House Bill 181 by adding at the end of said amendment the following words:

And providing further, that no license shall be required of any person fishing for home consumption in a navigable stream, and if any person catching fish for home consumption under this privilege shall be guilty of selling or using them for commercial purposes, he shall be deemed guilty of a misdemeanor, and shall be subject to a fine of \$50.00 for each offense.

Said amendment to the amendment was adopted.

Mr. Claude M. Thomas offered the following amendment to the amendment offered by Mr. Piper, viz.:

Amend amendment No. 3 by adding at the close thereof the following words:

Provided, however, that nothing herein shall be construed as authorizing or permitting the use of seines in the non-navigable streams of this Commonwealth, which, as to seining, are excepted from the provisions of this act.

Said amendment to the amendment was adopted.

Said amendment offered by Mr. Piper, as amended, was then adopted.

Mr. Thornsberry moved that the session be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Phelps offered the following amendment to House Bill No. 181, viz.:

Amend House Bill No. 181 by striking out all of section three.

Mr. Rice moved the previous question on said last named amendment.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Said amendment, offered by Mr. Phelps, to House Bill No. 181, was then adopted.

Mr. Dycus offered the following amendment to House Bill No. 181, viz.:

Amend House Bill No. 181 by adding at the end of section twelve of said bill the following:

That the Fish and Game Warden shall annually furnish to each county clerk a list of the names of the navigable streams embraced under this bill.

Said amendment was disagreed to.

The Committee on Fish and Game offered the following amendment to the title of House Bill No. 181, viz.:

Amend title to House Bill No. 181 by striking out the words "seine or" in said title.

The Committee on Fish and Game offered the following amendment to the amendment, to amend the title of said bill, by way of substitute therefor, viz.:

Amend title of House Bill No. 181 by inserting the words "and non-navigable" after the word navigable, in line three.

Said last named amendment to the amendment by way of substitute therefor was adopted.

Said amendment, offered by the Fish and Game Committee, to the title of said bill, as amended by way of substitute therefor, was then adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. B. Hamilton	W. B. O'Bannon
Chas. Ashby	E. C. Hardin	A. J. Oliver
B. S. Bailey	B. H. Harris	T. P. Oliver
L. D. Bauldauf	David J. Howard	Lilburn Phelps
J. H. Ballard	A. R. Hudson	Luther Pieratt
A. L. Baldwin	Chas. L. Hunter	Ote Piper
W. T. Beckham	J. W. Johnson	Richard Radcliffe
H. V. Bell	Leslie P. Jones	Lewis Ryans
O. V. Brown	W. H. Jones	Avery Sartin
R. J. Cain	W. F. Klair	R. T. Smith
T. L. Caudel	H. A. Knollmann	T. J. Smith
Everett Cobb	W. T. Lasley	Thomas Spurrier
John Cook	S. D. Laughlin	Ben Street
A. S. Cooper	Joseph Lazarus	John W. Swope
W. P. Cropper	M. E. Lee	Claude M. Thomas
A. A. Demunbrun	J. E. Lilly	Elmore Thomas
Harry Dill	H. J. Meyers	John B. Thomas
H. L. Dixon	Claude D. Minor	G. F. Thompson
W. G. Dycus	S. H. Moore	J. T. Thornton
F. A. Easterling	J. T. Murphy	S. G. Thornberry
J. M. Elliston	Ryland C. Musick	J. Wood Vance
I. H. Gabbard	A. J. McCandless	F. C. VanHoose
Lark Garnett	W. P. McDonogh	Geo. C. Waggoner
M. E. Gilbert	H. C. McGehee	G. F. Walthal
W. H. Hager	S. Lee McGohan	T. R. Welch
J. S. Hall	H. C. McLellen	W. N. Winn

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Those who voted in the negative were—

W. P. Bowman	Griffin Kelly	Claude B. Smith
J. C. Davis	H. C. Rice	E. G. Young
Joe Huddleston	Joe Schneider	

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Resolved, that the title thereof be as amended.

The committee to which the same had been referred reported bills of the following titles, viz.:

By Mr. Hardin, of the Committee on Appropriations:

H. B. 454. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern the Kentucky Institute for the Feeble-Minded Children, and sections 2156 to 2171 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and to provide penalties for the violation of this act.

By same:

S. B. 24. An act creating a Budget Commission, prescribing its powers and duties, providing a budget system of appropriations and a method for ascertaining the expenditures of the various departments of the State government; providing for certain reports to be made to the Budget Appropriation Commission and the manner of making the same; providing for the submission to the General Assembly of a budget compiled by the Budget Appropriation Commission and fixing penalties for violation.

By same:

S. B. 53. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same with certain modifications thereof.

By same:

H. B. 246. An act to repeal and re-enact section 12 of chapter 43, Acts of the General Assembly, of 1916, which act is entitled: An act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth, approv-

ed March 19, 1912, entitled: An act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a State Guard, and making an appropriation for same.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

By Mr. Hardin, of the Committee on Appropriations:

H. B. 193. An act to appropriate money for the necessary repairs and improvements in the protection of life and property and an emergency plant for lighting and heating at the State Reformatory, Frankfort, Kentucky.

By same:

H. B. 208. An act to appropriate money for the necessary repairs and improvements in the protection of life and property at the State Penitentiary, Eddyville, Kentucky.

By same:

H. B. 416. An act relating to public grounds and buildings, appropriating five thousand dollars for the improvement, care and maintenance of the old and new Capitol grounds.

By same:

H. B. 207. An act to appropriate money for the purchase of land for prison farm in Franklin county, Kentucky, pursuant to an act of the General Assembly, approved March 19, 1914.

By same:

H. B. 217. An act to appropriate money for the purchase of additional lands for gardening and farming purposes at the State Houses of Reform, Greendale, Kentucky.

Said bills numbers 193, 208, 416, 207 and 217, were reported by said committee with the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bills be given their first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

Mr. L. B. Hamilton offered the following joint resolution, viz.:

H. Res. 24. A joint resolution authorizing the Board of Trustees of the Kentucky Normal and Industrial Institute to sell and convey a certain part of the farm owned by the Kentucky Normal and Industrial Institute which is not necessary and cannot be profitably used in connection with the tract of land and farm owned by said institution.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the Board of Trustees of the Kentucky Normal and Industrial Institute are authorized and empowered to sell and convey that certain tract of land lying in the extreme eastern portion of the original Melrose farm, bounded by the Louisville, Lexington & Cincinnati Railroad, and by the lands of Pines heirs, Harry Shaw, A. W. Cromwell and Mike Callery, and containing 65 acres more or less, this being a part of the Kentucky Normal and Industrial Institute farm.

Said Board of Trustees shall cause said sale to be made at public auction after the same has been duly advertised for

at least fifteen days. They, however, will not sell said tract of land for a less sum than \$4,875.00. Said Board of Trustees shall have the right to reject any and all bids in the event they should be of the opinion that the property has not brought a fair price. The said trustees shall make said sale on the following terms: one-third cash, one-third in six months with interest from date of sale, and one-third in twelve months with interest from date of sale, but they shall have the right to accept the full amount of the purchase price in cash if the purchaser desires to make such payment. A lien shall be retained on said property to secure the deferred payments.

Section 2. The money derived from the sale of said property shall be used to pay the expense of the Kentucky Normal and Industrial Institute, and for buildings and improvements at such institution as are authorized by law; in other words the proceeds from this sale shall be used to pay appropriations made by the legislature for this institution.

Ordered, that said resolution lie on the Clerk's desk.

And then the House, at twelve forty-five p. m., recessed until two o'clock p. m.

AFTERNOON SESSION.

A roll call to ascertain the presence of a quorum resulted as follows, viz.:

Ed. L. Allen	H. V. Bell	John Cook
B. S. Bailey	W. P. Bowman	Fred Cornelius
L. D. Bauldauf	J. L. Bradford	W. P. Cropper
J. H. Ballard	O. V. Brown	James S. Cruse
A. L. Baldwin	R. J. Cain	W. G. Dycus
Robert Bays	T. L. Caudel	J. M. Elliston
W. T. Beckham	H. C. Chappell	I. H. Gabbard
B. C. Beckmann	Everett Cobb	Lark Garnett

M. E. Gilbert	H. J. Meyers	Joe Schneider
W. H. Hager	Clarence Miller	Claude B. Smith
A. L. Hamilton	Claude D. Minor	R. T. Smith
L. B. Hamilton	S. H. Moore	T. J. Smith
E. C. Hardin	J. T. Murphy	Ben Street
B. H. Harris	A. J. McCandless	John W. Swope
David J. Howard	W. P. McDonogh	C. M. Thomas
Joe Huddleston	H. C. McGehee	Elmore Thomas
A. R. Hudson	S. Lee McGohan	John B. Thomas
Chas. L. Hunter	H. C. McLellen	G. F. Thompson
J. W. Johnson	W. B. O'Bannon	J. T. Thornton
Leslie P. Jones	A. J. Oliver	S. G. Thornberry
W. H. Jones	T. P. Oliver	W. F. Trusty
Griffin Kelly	W. F. Paris	J. Wood Vance
W. F. Klair	Lilburn Phelps	F. C. VanHoose
H. A. Knollmann	Luther Pieratt	Geo. C. Waggoner
W. T. Lasley	Ote Piper	G. F. Walthal
S. D. Laughlin	Richard Radcliffe	T. R. Welch
Joseph Lazarus	H. C. Rice	W. N. Winn
M. E. Lee	Lewis Ryans	E. G. Young
J. E. Lilly	Avery Sartin	

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The House took up for consideration the special order set for this hour, namely: two o'clock p. m., a bill of the following title, viz.:

S. B. 61. An act to prohibit the shipment and delivery of intoxicating liquors in local option territory, and prohibiting any person in such territory from receiving such liquors, prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

Together with House amendments attached thereto, in which amendments the Senate refused to concur.

(For said bill and said amendments see H. J. February 19th, 1918.)

Mr. Waggoner moved that Senate Bill No. 61 and amendments proposed thereto and adopted by the House, and in which amendments the Senate refused to concur, be referred to a conference committee of the House and Senaté.

Mr. Klair, rising to a point of order, made the point that said motion is out of order until the question has been put and decided by the House as to whether or not the House will recede from its decision and action on said amendments.

Said point of order was sustained.

Mr. A. J. Oliver moved that the House do now recede from its decision and action on the amendment adopted by the House to Senate Bill No. 61, known as the Waggoner amendment, and that the House refuse to recede from its decision and action on the amendments proposed by the Committee on Alcoholic Liquor Traffic and Mr. Dycus to Senate Bill No. 61.

Mr. Waggoner demanded a division of the question as proposed in the motion made by Mr. A. J. Oliver.

Ordered, that said question be divided.

The Speaker then stated the question: Shall the House recede from its decision and action on the amendment adopted by the House to Senate Bill No. 61, known as the Waggoner amendment?

The yeas and nays being taken on said question of receding from the decision of the House on the amendment adopted by the House to Senate Bill No. 61, known as the Waggoner amendment, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
B. S. Bailey

J. H. Ballard
A. L. Baldwin

Robert Bays
B. C. Beckmann

H. V. Bell	B. H. Harris	T. P. Oliver
O. V. Brown	David J. Howard	W. F. Paris
R. J. Cain	Joe Huddleston	H. C. Rice
H. C. Chappell	Chas. L. Hunter	Lewis Ryans
Everett Cobb	Leslie P. Jones	Avery Sartin
John Cook	W. H. Jones	Joe Schneider
A. S. Cooper	W. F. Klair	Claude B. Smith
Fred Cornelius	H. A. Knollmann	R. T. Smith
W. P. Cropper	W. T. Lasley	Ben Street
J. C. Davis	M. E. Lee	John W. Swope
Harry Dill	H. J. Meyers	John B. Thomas
H. L. Dixon	J. T. Murphy	G. F. Thompson
W. G. Dycus	Ryland C. Musick	J. T. Thornton
J. M. Elliston	A. J. McCandless	W. F. Trusty
I. H. Gabbard	W. P. McDonogh	G. F. Walthal
W. H. Hager	H. C. McGehee	T. R. Welch
J. S. Hall	S. Lee McGohan	W. N. Winn
A. L. Hamilton	W. B. O'Bannon	E. G. Young
E. C. Hardin	A. J. Oliver	—62

Those who voted in the negative were—

Chas. Ashby	A. R. Hudson	Ote Piper
L. D. Bauldauf	J. W. Johnson	Richard Radcliffe
W. T. Beckham	Griffin Kelly	T. J. Smith
W. P. Bowman	S. D. Laughlin	C. M. Thomas
J. L. Bradford	Joseph Lazarus	Elmore Thomas
T. L. Caudel	J. E. Lilly	S. G. Thornberry
James S. Cruse	Clarence Miller	J. Wood Vance
A. A. Demunbrun	Claude D. Minor	F. C. VanHoose
Lark Garnett	H. C. McLellen	Geo. C. Waggoner
M. E. Gilbert	Lilburn Phelps	
L. B. Hamilton	Luther Pieratt	—31

And so the House receded from its decision and action on the amendment adopted by the House to Senate Bill No. 61, known as the Waggoner amendment.

Mr. A. J. Oliver moved that the House refuse to recede from its decision and action on the amendments of the Committee on Alcoholic Liquor Traffic and Mr. Dycus to Senate Bill No. 61, which amendments had heretofore been adopted by the House.

Said motion was agreed to

The House refused to recede from its action and decision on said last named amendments.

The yeas and nays being taken on the passage of Senate Bill No. 61, as amended by the amendments of the Committee on Alcoholic Liquor Traffic and Mr. Dycus, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	H. L. Dixon	H. A. Knollmann
J. H. Ballard	W. G. Dycus	W. T. Lasley
Robert Bays	J. M. Elliston	S. D. Laughlin
W. T. Beckham	L. L. Embry	M. E. Lee
B. C. Beckmann	I. H. Gabbard	J. E. Lilly
H. V. Bell	Lark Garnett	Claude D. Minor
W. P. Bowman	M. E. Gilbert	S. H. Moore
J. L. Bradford	W. H. Hager	J. T. Murphy
O. V. Brown	L. B. Hamilton	A. J. McCandless
R. J. Cain	E. C. Hardin	W. P. McDonogh
T. L. Caudel	B. H. Harris	H. C. McGehee
H. C. Chappell	David J. Howard	S. Lee McGohan
Everett Cobb	Joe Huddleston	W. B. O'Bannon
John Cook	A. R. Hudson	A. J. Oliver
Fred Cornelius	Leslie P. Jones	T. P. Oliver
W. P. Cropper	W. H. Jones	W. F. Paris
A. A. Demunbrun	Griffin Kelly	Lilburn Phelps
Harry Dill	W. F. Klair	Luther Pieratt

Ote Piper	T. J. Smith	W. F. Trusty
Richard Radcliffe	Ben Street	J. Wood Vance
H. C. Rice	John W. Swope	F. C. VanHoose
Lewis Ryans	C. M. Thomas	Geo. C. Waggoner
Avery Sartin	Elmore Thomas	G. F. Walthal
Joe Schneider	John B. Thomas	T. R. Welch
Claude B. Smith	G. F. Thompson	W. N. Winn
R. T. Smith	S. G. Thornberry	E. G. Young

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Those who voted in the negative were—

A. L. Baldwin	J. W. Johnson	J. T. Thornton
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Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

S. Res. 13. Resolution providing for the payment of assistant for Superintendent of Public Printing.

Whereupon all other business was suspended, said resolution was read at length and compared in open House and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution.

Ordered, that the Enrolling Clerk deliver said original and enrolled resolution to the Senate.

Mr. Lee moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 28, 1918.

The House was opened with prayer by the Rev. Roger T. Nooe, pastor of the Christian Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Chas. Ashby	A. L. Hamilton	W. F. Paris
B. S. Bailey	L. B. Hamilton	Lilburn Phelps
L. D. Bauldauf	B. H. Harris	Luther Pieratt
J. H. Ballard	David J. Howard	Ote Piper
Robert Bays	Joe Huddleston	H. C. Rice
W. T. Beckham	A. R. Hudson	Lewis Ryans
B. C. Beckmann	Chas. L. Hunter	Avery Sartin
H. V. Bell	J. W. Johnson	Joe Schneider
W. P. Bowman	Leslie P. Jones	Claude B. Smith
J. L. Bradford	W. H. Jones	R. T. Smith
R. J. Cain	Griffin Kelly	T. J. Smith
T. L. Caudel	H. A. Knollmann	Thomas Spurrier
John Cook	S. D. Laughlin	Ben Street
A. S. Cooper	Joseph Lazarus	John W. Swope
W. P. Cropper	M. E. Lee	C. M. Thomas
James S. Cruse	J. E. Lilly	Elmore Thomas
J. C. Davis	Clarence Miller	John B. Thomas
A. A. Demunbrun	S. H. Moore	G. F. Thompson
Harry Dill	J. T. Murphy	J. T. Thornton
H. Lawrence Dixon	Ryland C. Musick	S. G. Thornberry
F. A. Easterling	A. J. McCandless	W. F. Trusty
J. M. Elliston	W. P. McDonogh	F. C. VanHoose
I. H. Gabbard	H. C. McGehee	Geo. C. Waggoner
Lark Garnett	L. S. McGohan	G. F. Walthal
M. E. Gilbert	H. C. McLellen	T. R. Welch
W. H. Hager	W. B. O'Bannon	W. N. Winn
J. S. Hall	T. P. Oliver	E. G. Young

Upon motion of Mr. L. B. Hamilton the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

The committees to which the same had been referred reported resolutions and bills of the following titles, viz.:

By Mr. C. M. Thomas, of the Committee on Agriculture:

H. Res. 19. Resolution requesting the United States Government to curtail the acreage of tobacco in Kentucky.

With an expression of opinion that same ought not to pass.

Mr. R. T. Smith moved that said resolution be postponed until such time as the author of same could be present.

Mr. Klair moved as an amendment to said motion that said resolution be recommitted to the Committee on Agriculture.

Said last named motion was agreed to.

Said motion made by Mr. R. T. Smith, as amended by Mr. Klair, was agreed to.

Mr. Claude M. Thomas requested the unanimous consent of the House to be permitted to report said resolution No. 19, back to the House immediately upon receipt of same.

Said request was granted.

By same:

H. B. 372. An act to amend and re-enact section 14 of an act entitled An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Ken-

tucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners, and to provide penalties for violating the provisions thereof, approved March 24, 1916, now constituting chapter 71 of the compiled acts of the General Assembly of 1916.

By same:

H. B. 401. An act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the maximum weight per carload.

With an amendment thereto.

By same:

H. B. 242. An act to amend section 4821, Kentucky Statutes, Carroll's edition, 1915, relating to weights and measures.

With an expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. B. 365. An act to prohibit the slaughter of calves under twelve months of age, except male Jersey calves, and providing a penalty for a violation of this act.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

The yeas and nays being demanded on said question by Messrs. R. T. Smith and Thornton, were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	E. C. Hardin	Richard Radcliffe
B. S. Bailey	B. H. Harris	Lewis Ryans
L. D. Bauldauf	Joe Huddleston	Avery Sartin
Robert Bays	A. R. Hudson	Joe Schneider
R. J. Cain	Chas. L. Hunter	R. T. Smith
H. C. Chappell	W. H. Jones	T. J. Smith
Everett Cobb	S. D. Laughlin	Thomas Spurrier
John Cook	J. E. Lilly	Elmore Thomas
A. S. Cooper	S. H. Moore	G. F. Thompson
Fred Cornelius	H. C. McGehee	J. T. Thornton
A. A. Demunbrun	H. C. McLellen	S. G. Thornberry
F. A. Easterling	A. J. Oliver	W. F. Trusty
I. H. Gabbard	W. F. Paris	J. Wood Vance
M. E. Gilbert	Lilburn Phelps	F. C. VanHoose
J. S. Hall	Luther Pieratt	Geo. C. Waggoner
L. B. Hamilton	Ote Piper	—47

Those who voted in the negative were—

Ed. L. Allen	W. G. Dycus	Ryland C. Musick
J. H. Ballard	J. M. Elliston	A. J. McCandless
W. T. Beckham	Lark Garnett	W. P. McDonogh
B. C. Beckmann	W. H. Hager	S. Lee McGohan
H. V. Bell	A. L. Hamilton	W. B. O'Bannon
W. P. Bowman	David J. Howard	T. P. Oliver
J. L. Bradford	W. F. Klair	H. C. Rice
T. L. Caudel	H. A. Knollmann	Claude B. Smith
W. P. Cropper	M. E. Lee	Ben Street
James S. Cruse	H. J. Meyers	John W. Swope
H. Lawrence Dixon	J. T. Murphy	C. M. Thomas

John B. Thomas
G. F. Walthal

T. R. Welch
W. N. Winn

E. G. Young

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And so House Bill No. 365 was ordered to its first reading and placed in the calendar.

Mr. L. B. Hamilton moved that the special order set for eleven o'clock a. m. today be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

By same:

H. B. 141. An act to amend section 4649 of chapter 122, Kentucky Statutes.

By same:

H. B. 346. An act for the confinement of bird dogs and fixing penalties.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. Res. 18. Resolution regarding the manipulation and control of sales of leaf tobacco in this Commonwealth.

With the expression of opinion in writing as follows,
viz.:

The Committee on Agriculture, to which was referred House Resolution No. 18, after careful consideration, and a public hearing, to which all parties interested were invited, in order that they might acquaint the committee with facts, or give to it information of value, as a basis for its conclusions, makes, respectfully, this report in writing.

The committee is of the opinion, but without evidence produced before it, that the four great tobacco corporations against which the conspiracy charges set forth in the resolution are made, have the power, if so inclined, to raise or lower the price of leaf tobacco whenever and wherever it may suit their will and purpose to bring about such result. This belief, however, on the part of the committee is based upon no evidence produced before its hearing. The expression of such opinion here is merely the statement of a fact with which every member of the committee, and each member of the House who is a grower and seller of tobacco, is familiar, and in past years, no doubt, the exercise of this power in violation of the statute has been repeatedly resorted to, causing irreparable damage and financial loss to every grower in the Commonwealth.

The committee, however, is persuaded that now, of all times in the history of the tobacco trade, is an inopportune hour in which to find fault. Whatever power of wrongdoing may be in the hands of these great trade organizations, the committee must recognize facts of common knowledge to every Kentuckian, namely, that tobacco is commanding the highest price ever attained since it became a product of our fertile soil. Looking forward twelve months ago, if one had dreamed of the valuations now prevailing upon our markets, he would have dismissed the delightful delusion as something fantastic and impossible. The tobacco crop of 1917 has been the most enormously profitable of any in the history of our agricultural life, and this committee is unwilling to recommend action that would remotely interfere with the

activities of these organizations now so happily aiming in the right direction.

It was stated before the committee by the author of the resolution, the honorable gentleman from Hart, that the markets in which costly fluctuations had occurred, and against which discrimination had apparently been aimed, were those located in the counties of Hart, Barren and Franklin. Members of the committee have made some inquiry of growers who sell on the market here at Frankfort, but we have been unable to find any one willing to make complaint, or to offer criticism of the conditions under which he is selling his product. The committee suggests that if, in any county, unjust and illegal practices have been resorted to the circuit courts will take cognizance, if appealed to, and the grand juries will undoubtedly indict under the statute enacted in 1916, and the other laws which have been provided to prevent, and to punish those guilty of, the character of offenses charged in the resolution.

The committee, for the reasons given, feel it to be their duty to report the resolution with the expression of opinion that it should not pass.

Said resolution is signed by the Committee on Agriculture.

The Speaker stated the question: Shall said resolution No. 18, be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

Mr. Radcliffe moved that the vote by which said resolution was refused its first reading be reconsidered.

Said motion was agreed to.

Mr. Speaker Crowe then restated the question: Shall said resolution No. 18, be given its first reading, the report of the committee to the contrary notwithstanding?

The yeas and nays on said question being demanded by Messrs. Radcliffe and R. T. Smith, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Leslie P. Jones	W. B. O'Bannon
Chas. Ashby	W. H. Jones	A. J. Oliver
B. S. Bailey	Griffin Kelly	T. P. Oliver
J. H. Ballard	W. F. Klair	H. C. Rice
Robert Bays	H. A. Knollmann	Joe Schneider
B. C. Beckmann	S. D. Laughlin	Claude B. Smith
H. V. Bell	Joseph Lazarus	Thomas Spurrier
W. P. Bowman	M. E. Lee	Ben Street
J. C. Davis	H. J. Meyers	John W. Swope
A. A. Demunbrun	S. H. Moore	C. M. Thomas
W. G. Dycus	J. T. Murphy	John B. Thomas
F. A. Easterling	Ryland C. Musick	G. F. Thompson
I. H. Gabbard	A. J. McCandless	W. F. Trusty
W. H. Hager	W. P. McDonogh	G. F. Walthal
E. C. Hardin	H. C. McGehee	T. R. Welch
David J. Howard	S. Lee McGohan	W. N. Winn
Chas. L. Hunter	H. C. McLellen	E. G. Young

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Those who voted in the negative were—

R. J. Cain	Richard Radcliffe	Elmore Thomas
John Cook	Avery Sartin	S. G. Thornberry
Joe Huddleston	R. T. Smith	J. Wood Vance
Ote Piper	T. J. Smith	

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And so the report and opinion of the committee on Agriculture was adopted and said resolution refused its first reading.

Said foregoing bills, numbers 372, 401, 365 and 141, were severally read at length the first time and ordered to be placed in the calendar.

A message was received from the Senate announcing that they had concurred in a resolution which originated in the House, of the following title, viz.:

H. Res. 23. Resolution for the benefit of the ministers of the gospel of Frankfort.

Also, that they had passed bills originating in that body of the following titles, viz.:

S. B. 46. An act to amend subsection 8 of chapter 9a, Kentucky Statutes, being section 165, Kentucky Statutes, Carroll's edition, 1915, relating to the Banking Department, by providing that the Banking Commissioner may accept examinations made by the Federal Reserve authorities, in lieu of his official examinations, and authorizing the Banking Commissioner to furnish to the Federal Reserve Agent of the district in which a member bank may be situated copies of examinations, and reports of member banks.

To the Committee on Banks and Banking.

S. B. 59. An act to repeal and re-enact article 15, chapter 32, Kentucky Statutes, which is entitled: Sale and purchase of corporations, and consists of section 883b of Carroll's Kentucky Statutes, Edition of 1915, by substituting the terms of this act therefor.

To the Committee on Corporate Institutions.

S. B. 76. An act to amend subsection 12, section 3290, chapter 89 of the Kentucky Statutes, relating to the government of third class cities.

To the Committee on Municipalities.

S. B. 92. An act to amend chapter 71 of the Acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the state of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor March 24, 1916.

To the Committee on Agriculture.

S. B. 118. An act to amend sections 579 and 584, Kentucky Statutes, Carroll's 1915 edition, relating to the powers of banking corporations and the required reserves of such corporations, by providing that banking institutions created and organized under the laws of this Commonwealth may pledge any portion of their assets as security for deposits of the United States Government, and further providing that such banks or trust companies which shall become members of a Federal Reserve Bank, may conform to the reserve requirements of the act of Congress known as the Federal Reserve Act, in lieu of reserves required by the laws of this Commonwealth.

To the Committee on Banks and Banking.

S. B. 136. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties and providing an appropriation therefor.

To the Committee on Military Affairs.

S. B. 233. An act prohibiting betting or wagering on horse races, other than at licensed race tracks, and in enclosures, during regular meetings wherein running, trotting or pacing races are being conducted by associations regularly organized for that purpose.

To the Committee on Criminal Law.

S. B. 240. An act entitled an act to amend sections 3486 and 3502 of Kentucky Statutes, Carroll's edition of 1915, relating to cities of the fourth class.

To the Committee on Municipalities.

Mr. Phelps moved that House Resolution No. 22 be taken from the Clerk's desk and referred to the Committee on Appropriations.

Said motion was agreed to.

Mr. L. B. Hamilton moved that House Resolution No. 20 be taken from the Clerk's desk and referred to the Committee on Appropriations.

Said motion was agreed to.

The House then took up for consideration the special order set for this hour, namely, a bill entitled:

H. B. 149. An act to amend an act entitled an act to incorporate the Confederate Home and provide for the maintenance thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whereas, heretofore, by chapter 22 of the Acts of 1916, it is provided that for a period of two years, commencing February 1, 1916, there is appropriated for the maintenance and support of the Kentucky Confederate Home the sum of three thousand, five hundred (3,500) dollars per month, and

Whereas, since that time it has been found impossible to support and maintain the Confederate Home with the said

sum of \$3,500 per month, which condition has been brought about by the great advance in the cost of food, clothing, fuel and materials of all kinds;

Section 1. Now, therefore, in order to enable the Kentucky Confederate Home to pay the deficit created by reason of the very large and extraordinary advance in the price of food, clothing, fuel, and articles of all kinds necessary for the care and maintenance of the inmates of the said Home, there is hereby appropriated for the care and maintenance of the inmates of the Kentucky Confederate Home, the sum of five thousand (\$5,000) dollars per month. This appropriation is subject to the law governing eleemosynary institutions of the state. The bills are to be examined as heretofore and in case it is not necessary to use said sum, then only the amount required for the maintenance and care of the inmates, for food, clothing, fuel and other articles necessary for their comfort and convenience shall be used.

Section 2. Whereas, the necessity for the care of said infirm soldiers is urgent and the present appropriation is not sufficient properly to support the Home, an emergency is hereby declared to exist and this enactment shall take effect from and after the approval of the Governor.

Mr. Hardin moved that the House do now resolve itself into a Committee of the Whole on the State of the Commonwealth for the purpose of hearing General Bennett H. Young discuss the merits of House Bill No. 149.

Said motion was agreed to.

Thereupon the Speaker designated Mr. Swope to preside as Chairman of the Committee of the Whole.

Mr. Speaker Crowe vacated the chair.

Mr. Swope presided as Chairman of said Committee.

Messrs. Hardin, Walthal and Lilly were appointed as a committee to escort General Bennett H. Young to the stand.

After a time Mr. Spurrier moved that said committee rise and report.

Said motion was agreed to.

Thereupon Mr. Speaker Crowe resumed the chair.

Mr. Swope, Chairman of the Committee of the Whole, reported that said committee had heard General Bennett H. Young discuss House Bill 149 and further reported progress.

The House was then in order.

Mr. A. J. Oliver moved that an expression of thanks and appreciation be given to General Bennett H. Young for his able address by a rising vote.

Said motion was unanimously agreed to by a rising vote.

Ordered, that said House Bill No. 149 be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. D. Bauldauf	W. T. Beckham
Chas. Ashby	J. H. Ballard	B. C. Beckmann
B. S. Bailey	Robert Bays	H. V. Bell

W. P. Bowman	Joe Huddleston	Ote Piper
J. L. Bradford	A. R. Hudson	Richard Radcliffe
O. V. Brown	Chas. L. Hunter	H. C. Rice
R. J. Cain	Leslie P. Jones	Lewis Ryans
T. L. Caudel	W. H. Jones	Avery Sartin
H. C. Chappell	Griffin Kelly	Joe Schneider
Everett Cobb	W. F. Klair	Claude B. Smith
A. S. Cooper	H. A. Knollmann	R. T. Smith
Fred Cornelius	S. D. Laughlin	T. J. Smith
W. P. Cropper	Joseph Lazarus	Thomas Spurrier
James S. Cruse	M. E. Lee	Ben Street
A. A. Demunbrun	J. E. Lilly	John W. Swope
Harry Dill	H. J. Meyers	C. M. Thomas
H. Lawrence Dixon	Clarence Miller	Elmore Thomas
W. G. Dycus	S. H. Moore	J. B. Thomas
F. A. Easterling	J. T. Murphy	G. F. Thompson
J. M. Elliston	Ryland C. Musick	J. T. Thornton
I. H. Gabbard	W. P. McDonogh	S. G. Thornberry
Lark Garnett	H. C. McGehee	W. F. Trusty
M. E. Gilbert	S. Lee McGohan	J. Wood Vance
W. H. Hager	H. C. McLellen	F. C. VanHoose
J. S. Hall	W. B. O'Bannon	G. C. Waggoner
A. L. Hamilton	A. J. Oliver	G. F. Walthal
L. B. Hamilton	T. P. Oliver	T. R. Welch
E. C. Hardin	W. F. Paris	W. N. Winn
B. H. Harris	Lilburn Phelps	E. G. Young
David J. Howard	Luther Pieratt	

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Resolved, that the title thereof be as aforesaid.

Mr. Radcliffe moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Piper moved that the vote by which House Bill No. 181 was passed, on yesterday, be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

And then the House, at twelve twenty p. m., recessed until two o'clock p. m.

AFTERNOON SESSION.

Thursday, February 28, 1918, two o'clock p. m.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	W. H. Hager	A. J. Oliver
Chas. Ashby	J. S. Hall	T. P. Oliver
B. S. Bailey	A. L. Hamilton	W. F. Paris
L. D. Bauldauf	L. B. Hamilton	Lilburn Phelps
J. H. Ballard	E. C. Hardin	Luther Pieratt
Robert Bays	B. H. Harris	Ote Piper
B. C. Beckmann	David J. Howard	Richard Radcliffe
H. V. Bell	Joe Huddleston	H. C. Rice
W. P. Bowman	Chas. L. Hunter	Lewis Ryans
J. L. Bradford	J. W. Johnson	Avery Sartin
O. V. Brown	Leslie P. Jones	Claude B. Smith
R. J. Cain	W. H. Jones	R. T. Smith
T. L. Caudel	W. F. Klair	T. J. Smith
H. C. Chappell	H. A. Knollmann	Thomas Spurrier
Everett Cobb	S. D. Laughlin	Ben Street
John Cook	Joseph Lazarus	John W. Swope
A. S. Cooper	M. E. Lee	C. M. Thomas
Fred Cornelius	J. E. Lilly	Elmore Thomas
James S. Cruse	H. J. Meyers	J. B. Thomas
J. C. Davis	Clarence Miller	G. F. Thompson
A. A. Demunbrun	S. H. Moore	J. T. Thornton
Harry Dill	J. T. Murphy	S. G. Thornberry
H. Lawrence Dixon	Ryland C. Musick	W. F. Trusty
W. G. Dycus	A. J. McCandless	F. C. VanHoose
F. A. Easterling	II. C. McGehee	G. F. Walthal
J. M. Elliston	S. Lee McGohan	W. N. Winn
Lark Garnett	H. C. McLellen	
M. E. Gilbert	W. B. O'Bannon	

The House took up for consideration the special order set for this hour, two o'clock p. m., a bill entitled:

H. B. 170. An act to suppress trading stamps, coupons, tickets, certificates, labels, metal checks and tags and other similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violations of its provisions.

Mr. McDonogh moved that said bill be recommitted to the Committee on Kentucky Statutes with leave to report at any time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 55. An act to promote temperance in the state.

Mr. Radcliffe moved that said bill be recommitted to the Committee on Retrenchment and Reform with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 135. An act to amend section 1277, subdivision IV of article IV, chapter 36 of the Kentucky Statutes, Carroll's edition, 1909, entitled crimes and punishments.

Mr. Hager moved that said bill be recommitted to the Committee on Retrenchment and Reform with leave to report at any time.

Said motion was agreed to.

Mr. Waggoner moved that House Bill No. 162 be taken from the orders of the day and recommitteed to the Committee on Public Roads and Highways with leave to report at any time.

Said motion was agreed to.

Mr. Waggoner moved that House Bill No. 163 be taken from the orders of the day and recommitteed to the Committee on Public Roads and Highways with leave to report at any time.

Said motion was agreed to.

Mr. Thornton moved that the rules be suspended and that House Bill No. 61 be made a special order for tomorrow morning at eleven o'clock.

As an amendment to said motion, Mr. McDonogh moved that House Bill No. 61 be made a special order for tomorrow afternoon at two o'clock.

Said last named motion was disagreed to.

Said motion made by Mr. Thornton was then agreed to.

Mr. Spurrier moved that the rules be suspended and that House Bill No. 38 be made a special order for next Tuesday morning at eleven o'clock.

Said motion was disagreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 216. An act to accept the conditions of an act of Congress of the United States entitled: An act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in the preparing of teachers for vocational subjects, and to appropriate money and regulate its expenditures, and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid federal act.

To the Committee on State University.

S. B. 193. An act authorizing the State Board of Education to issue certificates to teach to students of educational institutions not supported by state funds within the state of Kentucky; creating a board of regents to inspect normal schools for determining what institutions are entitled to such privileges; defining the conditions under which such privileges shall be granted, and repealing all laws or parts of laws in conflict therewith.

To the Committee on State Normal Schools.

A message was also received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz.:

H. B. 94. An act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any premises used for such purposes.

With Senate amendments thereto.

(For said bill see H. J. February 8, 1918.)

Said amendments read as follows, viz.:

Amend House Bill No. 94, section 2, as amended by the House, by striking therefrom the words "magisterial district" in line 2 of said section and insert in lieu thereof the word "county," so that said section with reference to this amendment will read the same as the printed House bill.

Amend House Bill No. 94 (reference to printed bill) by striking therefrom the word "and," at the end of line 13, in section 2, and all of line 14 in said section, and the words "a matter of course," in line 15 of said section.

Amend section 5 of said bill adding thereto the following proviso:

"Provided, that no injunction shall issue against an owner, nor shall an order be entered requiring that any building or apartment, or any place be closed or kept closed, if it appears that such owner and his agent have in good faith endeavored to prevent such nuisance. Nothing in this act contained shall authorize any relief respecting any other apartment than that in which such a nuisance exists."

Mr. Leslie P. Jones moved the House concur in said Senate amendments to House Bill No. 94.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of said House Bill No. 94 as amended by the Senate and con-

curred in by the House, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. H. Harris	T. P. Oliver
B. S. Bailey	David J. Howard	W. F. Paris
L. D. Bauldauf	Joe Huddleston	Lilburn Phelps
W. T. Beckham	A. R. Hudson	Luther Pieratt
B. C. Beckmann	Chas. L. Hunter	Ote Piper
H. V. Bell	J. W. Johnson	Richard Radcliffe
W. P. Bowman	Leslie P. Jones	H. C. Rice
R. J. Cain	W. H. Jones	Lewis Ryans
T. L. Caudel	Griffin Kelly	Avery Sartin
H. C. Chappell	H. A. Knollman	Claude B. Smith
Everett Cobb	S. D. Laughlin	R. T. Smith
A. S. Cooper	Joseph Lazarus	T. J. Smith
James S. Cruse	M. E. Lee	Thomas Spurrier
J. C. Davis	S. H. Moore	Ben Street
H. Lawrence Dixon	J. T. Murphy	John W. Swope
W. G. Dycus	Ryland C. Musick	C. M. Thomas
L. L. Embry	A. J. McCandless	J. B. Thomas
I. H. Gabbard	W. P. McDonogh	S. G. Thornberry
Lark Garnett	H. C. McGehee	J. Wood Vance
M. E. Gilbert	S. Lee McGohan	F. C. VanHoose
W. H. Hager	H. C. McLellen	G. F. Walthal
J. S. Hall	W. B. O'Bannon	W. N. Winn
L. B. Hamilton	A. J. Oliver	—68

There voted in the negative—

H. J. Meyers

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The House took up for consideration from the orders of the day a bill entitled:

H. B. 73. An act for the improvement of the public highways of this Commonwealth.

Mr. Waggoner moved that Senate Bill No. 18, which is in the orders of the day, and which is similar to said House Bill No. 73, be substituted for said House Bill No. 73 and placed upon its passage.

Said motion was agreed to.

Mr. Waggoner moved that House Bill No. 73 be recommitted to the Committee on Public Roads and Highways.

Said motion was agreed to.

The House then took up for consideration from the orders of the day, which had been substituted for House Bill No. 73, a bill entitled:

S. B. 18. An act for the improvement of the public highways of this Commonwealth.

Mr. Cook offered an amendment to said bill.

Mr. Brown moved that Senate Bill No. 18 and amendment thereto, proposed by Mr. Cook, be laid on the table.

Said motion was disagreed to.

Mr. Brown moved that said Senate Bill No. 18 be recommitted to the Committee on Public Roads and Highways with leave to report at any time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 26. An act to amend subsection 7 of section 1019a of the act approved March 29th, 1902, entitled an act to provide for stenographic reports for courts of continuous session.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 7 of section 1019a of an act approved March 29, 1902, entitled "An act to provide for stenographic reporters for courts of continuous session" (being subsection 7 of section 1019a of Carroll's Kentucky Statutes, edition of 1915), be, and it is, hereby amended by striking therefrom the words, "Said reporter shall receive for his services in taking stenographic notes a salary of not more than one thousand dollars per annum," and by adding instead of the words so stricken the following: "Said reporter shall receive for his services in taking stenographic notes a salary of not more than fifteen hundred dollars per annum;" and by striking therefrom the words: "For making transcript of evidence taken by him, said reporter shall receive twenty-five cents per page original copy and ten cents per page for each duplicate thereof, said pages to average not less than thirty lines of not less than eleven words each," and by adding instead of the words so stricken the following: "Said reporter shall receive for making transcripts of evidence taken by him fifteen cents per hundred words original copy and six cents per hundred words for each duplicate copy thereof."

So that said section, as amended, shall read as follows:

"Said reporter shall receive for his services in taking stenographic notes a salary of not more than fifteen hundred dollars per annum, to be fixed by the fiscal court of the county in which the court appointing said reporter is held, and to be paid in monthly installments by said county. Said reporter shall receive for making transcripts of evidence taken by him fifteen cents per hundred words original copy and six cents per hundred words for each duplicate copy thereof. In civil actions or proceedings the fees for making any transcript or duplicate shall be paid by the party upon whose

motion such transcript or duplicate is made, such fees to be taxed as part of the costs in the case. In criminal cases the fees for making transcripts and duplicates shall be paid by the county in which such court shall be held, whenever said transcript and duplicate are made upon the motion of the Commonwealth. If such transcript or duplicate is made upon motion of the defendant in a criminal case, such defendant shall pay the fees therefor, unless the court is satisfied that he is unable to do so, in which event such fee shall be paid by said county."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. C. Davis	A. R. Hudson
B. S. Bailey	A. A. Demunbrun	Chas. L. Hunter
L. D. Bauldauf	H. Lawrence Dixon	J. W. Johnson
J. H. Ballard	W. G. Dycus	Leslie P. Jones
Robert Bays	F. A. Easterling	W. H. Jones
W. T. Beckham	I. H. Gabbard	Griffin Kelly
B. C. Beckmann	Lark Garnett	W. F. Klair
H. V. Bell	W. H. Hager	H. A. Knollman
J. L. Bradford	A. L. Hamilton	S. D. Laughlin
R. J. Cain	L. B. Hamilton	Joseph Lazarus
T. L. Caudel	E. C. Hardin	M. E. Lee
A. S. Cooper	B. H. Harris	H. J. Meyers
Fred Cornelius	David J. Howard	S. H. Moore
James S. Cruse	Joe Huddleston	J. T. Murphy

Ryland C. Musick	Richard Radcliffe	Elmore Thomas
A. J. McCandless	H. C. Rice	J. B. Thomas
W. P. McDonogh	Lewis Ryans	Geo. F. Thompson
H. C. McGehee	Avery Sartin	J. T. Thornton
W. B. O'Bannon	Claude B. Smith	S. G. Thornberry
T. P. Oliver	R. T. Smith	F. C. VanHoose
W. F. Paris	T. J. Smith	G. C. Waggoner
Lilburn Phelps	Thomas Spurrier	G. F. Walthal
Luther Pieratt	Ben Street	T. R. Welch
Ote Piper	John W. Swope	W. N. Winn

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Resolved, that the title thereof be as aforesaid.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 6. An act making it unlawful for any citizen or subject of any nation with which the United States is at war to have firearms or other explosives in his possession.

S. B. 14. An act making it unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

And then the House, at four o'clock p. m., adjourned.

FRIDAY, MARCH 1, 1918.

The House was opened with prayer by the Rev. Roger T. Nooe, pastor of the Christian Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	Lark Garnett	S. H. Moore
B. S. Bailey	M. E. Gilbert	J. T. Murphy
L. D. Bauldauf	J. S. Hall	A. J. McCandless
J. H. Ballard	A. L. Hamilton	W. P. McDonogh
Robert Bays	L. B. Hamilton	H. C. McGehee
W. T. Beckham	E. C. Hardin	S. Lee McGohan
B. C. Beckmann	B. H. Harris	H. C. McLellen
H. V. Bell	Joe Huddleston	W. B. O'Bannon
W. P. Bowman	Chas. L. Hunter	T. P. Oliver
O. V. Brown	J. W. Johnson	W. F. Paris
R. J. Cain	Leslie P. Jones	Lilburn Phelps
T. L. Caudel	W. H. Jones	Ote Piper
Everett Cobb	Griffin Kelly	Richard Radcliffe
John Cook	W. F. Klair	H. C. Rice
A. S. Cooper	H. A. Knollman	Lewis Ryans
J. C. Davis	S. D. Laughlin	Avery Sartin
A. A. Demumbrun	Joseph Lazarus	Claude B. Smith
J. M. Elliston	M. E. Lee	R. T. Smith
I. H. Gabbard	J. E. Lilly	Thomas Spurrier

Ben Street	J. B. Thomas	J. Wood Vance
John W. Swope	Geo. F. Thompson	F. C. VanHoose
C. M. Thomas	J. T. Thornton	G. F. Walthal
Elmore Thomas	S. G. Thornberry	T. R. Welch

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On motion of Mr. Caudel the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. R. T. Smith moved that the regular order of business be suspended for the purpose of hearing the Hon. Mat S. Cohen, Commissioner of Agriculture, discuss the subject of seed corn and the necessity for having same tested.

Said motion was agreed to.

Messrs. L. B. Hamilton and R. T. Smith were appointed a committee to inform Mr. Cohen that the House was now ready to hear his address on the above mentioned question and to escort him to the Speaker's stand.

Mr. Thornton moved that the special order of business set for eleven o'clock a. m. today be postponed until the call of committees is completed.

Said motion was agreed to.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. McGohan, of the Committee on Alcoholic Liquor Traffic:

S. B. 41. An act to promote temperance in the state.

By same:

H. B. 11. An act to amend an act entitled an act for the better enforcement of an act approved March 10, 1894, entitled: An act whereby the sense of the people of any county, city, town, district or precinct may be taken as to whether spirituous, vinous or malt liquors shall be sold, bartered or loaned therein, and to amend section four of said act, and approved March 11, 1902, amending and re-enacting subsection 2 and repealing subsection 3 of section 2557b, Carroll's Kentucky Statutes, 1915 edition.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. B. 353. An act to amend section 3025, Kentucky Statutes, Carroll's edition of 1915, concerning the form and amount of liquor licenses in cities of the first class, being part of an act entitled: An act for the government of cities of the first class, approved July 1, 1893.

By Mr. Hardin, of the Committee on Appropriations:

H. B. 195. An act to accept the conditions of an act of Congress of United States entitled: An act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in preparing of teachers for vocational subjects, and to appropriate money and regulate its expenditure; and to provide for the inspection of

secondary schools maintaining vocational courses and appropriate money to enable the Commonwealth of Kentucky to receive the benefits of the act and to provide for the expenses of such secondary schools.

With an amendment thereto by way of substitute therefor.

By same:

H. B. 70. An act for the benefit of West Kentucky Industrial College.

With an amendment thereto by way of substitute therefor.

By same:

H. B. 294. An act appropriating money to provide for the continuance of extension work in the state of Kentucky by the Agricultural College of the University of Kentucky, under the provisions of an act of Congress of the United States, approved May 8, 1914, entitled: An act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress, approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

With an amendment thereto by way of substitute therefor.

By same:

H. B. 201. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties, and providing an appropriation therefor.

By same:

H. B. 403. An act to further regulate the operation of coal mines. To provide a more efficient supervision and regulation of such mines.

By Mr. Lilly, of the Committee on Banks and Banking:

H. B. 456, An act to amend section 4706, Carroll's edition of the Kentucky Statutes of 1915, entitled: Investment of funds by fiduciary.

By same:

H. B. 467. An act authorizing the capital stock of national banks to be taken as security on bonds of said banks as trustee, executor, administrator or registrar of stocks and bonds.

By Mr. Caudel, of the Committee on Circuit Courts:

H. B. 386. An act regulating the trial of causes in the circuit courts.

By same:

H. B. 304, An act to amend article 3, section 9 thereof, of chapter 74, of an act of the General Assembly of 1893, approved May 22, 1893, relating to juries, which is section 2260 of the Kentucky Statutes, Carroll's 1915 edition.

By same:

H. B. 457. An act to amend section 965, Kentucky Statutes, relating to circuit court in the Nineteenth Judicial District.

By same:

H. B. 400. An act to repeal and re-enact chapter 67 of the Acts of the General Assembly of 1910, relating to courts of justice.

By Mr. Lasley, of the Committee on Codes of Practice:

H. B. 247. An act to prohibit the practice of law by corporations.

With an amendment thereto by way of substitute therefor.

By Mr. Meyers, of the Committee on Corporate Institutions:

H. B. 497. An act to put into effect the amendment to section 201 of the Constitution, being chapter 125 of the Acts of the General Assembly of 1916, adopted by the voters of the Commonwealth at the November election of 1917, to give to the railroad commissioner jurisdiction over the purchase or lease of one telephone company by another as required by such amendment.

By Mr. A. J. Oliver, of the Committee on Criminal Law:

S. B. 15. An act to amend section 1358, Kentucky Statutes.

By Mr. C. B. Smith, of the Committee on Charitable Institutions:

S. B. 22. An act providing for the separate confinement of the criminal insane, defining such term, and providing for the transfer to such institution of those who have been adjudged criminally insane.

By Mr. Schneider, of the Committee on Fish and Game:

H. B. 265. An act to amend and re-enact sections 1896 and 1900, Kentucky Statutes, edition 1915, relating to the destruction of fish by dynamite or any explosive, and the killing of fish by shooting with a gun or pistol, or killing fish by any drug, injurious substance or medicated bait.

By same:

H. B. 351. An act amending section 25 of an act amending an act entitled an act for the protection of game and fish, chapter 35, Acts 1912, approved March 12, 1912, as amended by chapter 30, Acts 1916, approved March 22, 1916.

By Mr. Howard, of the Committee on Judiciary:

H. B. 423. An act to amend an act entitled an act concerning notaries public, approved March 8, 1916.

By same:

H. B. 459. An act to amend and re-enact sections 1697 and 1702, Kentucky Statutes, edition 1915, relating to exemptions of property from sale under execution, attachment, distress or fee bill.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 472. An act to amend and re-enact section 2922, Kentucky Statutes, Carroll's edition, 1915, relating to appeals to circuit courts and Court of Appeals.

By same:

H. B. 473. An act to amend section 362 of the Criminal Code of Practice concerning and relating to appeals from judgments of the county court, justice's court or a city or police court.

By same:

H. B. 337. An act to repeal and re-enact subsections 2 and 5 of sections 112-15 and also sections 117 and 117a, Kentucky Statutes, Carroll's 1915 edition.

By same:

H. B. 348. An act to repeal section 3745, Kentucky Statutes, edition 1915, relating to eligibility of Senators and Representatives in the General Assembly.

By same:

H. B. 478. An act to abolish certain offices, boards, and commissions, together with all powers, privileges, duties, salaries and prerequisites belonging or attached thereto.

By same:

H. B. 479. An act to enlarge and extend the powers, duties and privileges of State Fire Marshal, providing for the appointment of a superintendent of rating board, and prescribing his duties, and fixing salary.

By same:

H. B. 480. An act to create an Efficiency and Economy Commission, prescribing its duties and fixing for the payment of the expenses thereof.

With an amendment thereto.

By same:

H. B. 481. An act requiring the custodian of the capitol building and grounds to maintain a system and supervision of work of the employes under him, and providing a penalty for his failure to do so.

By same:

H. B. 482. An act to fix the salaries of the following state officers.

By same:

H. B. 483. An act to regulate and control the printing and publication by state departments, boards, commissions or institutions of records, books or pamphlets pertaining to or connected with the business accomplishments or duties of such departments, boards, commissions or institutions.

By same:

H. B. 484. An act empowering the Governor to exercise supervision over all state departments, commissions, institutions and officers, agents and employes connected therewith, as well as over all persons who perform any public service for which they are paid out of the State Treasury, and prescribing penalties.

By same:

H. B. 485. An act to provide for the approval and payment of all members of boards, institutions, departments or commissions, accounts for traveling expenses of state officers, agents, attorneys or employes that are to be paid out of the State Treasury.

By same:

H. B. 486. An act requiring the chairman of all commissions and boards and assistants, helpers, stenographers and employes engaged in office work for commissions and boards to reside in the city of Frankfort, and to devote their entire time to the duties assigned to them while engaged in their respective employments.

By same:

H. B. 487. An act creating the office of Board of Agriculture and Live Stock, and to prescribe its duties, and for the appointment of its members, and fixing the salaries and expense.

With an amendment thereto.

By same:

H. B. 488. An act to amend and re-enact section 3795 and section 2047, Carroll's 1915 edition of the Kentucky Statutes, and to create a bi-partisan board for the management and supervision of the penal and eleemosynary institutions of this state; to vest in this commission all the powers, duties and privileges now invested by law in the Board of Control and the Prison Commission of the State of Kentucky, and to require the members thereof to devote their entire time to the duties of the office and the chairman thereof to reside in the city of Frankfort, and fixing the salaries of the members.

By same:

H. B. 489. An act to amend and re-enact sections 1905c and ——— Carroll's 1915 edition of the Kentucky Statutes, and to create the office of Commissioner of Geology and Forestry, and provide for a deputy and fixing of salaries.

By same:

H. B. 490. An act to abolish the office of secretary of the State Insurance Board, attorney for the State Rating Board and office of Special Assistant Attorneys General, and to repeal so much of section 762d of Carroll's 1915 edition of the Kentucky Statutes, and so much of section ——— of

said statute as authorizes and permits the Insurance Commissioner of the State of Kentucky to receive \$600.00 per annum imposed by the act, and so much thereof as authorized the Attorney General to employ an attorney to represent said board and so much of said statute as creates the office of and authorizes the payment of Special Assistant Attorneys General.

By same:

H. B. 491. An act to enlarge and extend the powers, duties and privileges of the State Tax Commission, the State Librarian, the State Inspector and Examiner, and the Confederate Pension Department of the State of Kentucky.

Mr. Meyers moved that when the House adjourns today it be to meet again on Monday next, March 4th, 1918, at one-thirty o'clock p. m.

Said motion was agreed to.

Mr. Meyers moved that the rules be suspended and that one session only be held today.

Said motion was agreed to.

Mr. Caudel moved that the session of today be extended indefinitely.

Said motion was agreed to.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 492. An act to enlarge and extend the powers, duties and privileges of the State Board of Health of the state of Kentucky, and to require the office thereof to be kept and maintained in the city of Frankfort.

By same:

S. B. 40. An act to amend section 2514, Kentucky Statutes, Carroll's edition, 1915, entitled Actions that must be brought within fifteen years after accrual of right.

By same:

H. B. 270. An act to prevent fraud in the sale and disposition of stocks, bonds, notes, contracts or other securities, and certain real estate, sold or offered for sale, within the state of Kentucky, and providing penalties for the violation thereof.

By same:

H. B. 390. An act relating to exemptions of household goods and other personal property to a person with a family, and prescribing the duties of the county clerk in relation thereto, and fixing his compensation.

By same:

H. B. 494. An act to repeal chapter 143 of the Acts of the General Assembly of 1906, entitled an act to regulate burial associations, corporations and companies doing business in the state of Kentucky, which became a law March 24, 1906, and chapter 72 of the Acts of the General Assembly of 1908, amending the above act, which became a law March 27, 1908.

By Mr. Beckmann, of the Committee on Municipalities:

H. B. 406. An act to provide an automobile for the use of Commonwealth's attorneys of districts containing cities of the first class, and authorizing the fiscal court of counties containing such districts to furnish and to provide for the same and for the upkeep of same.

By same:

H. B. 418. An act to amend section 822, chapter 32, Kentucky Statutes, Carroll's edition, 1915.

By same:

H. B. 383. An act regulating the trials of policemen and firemen in cities of the first class, and granting them the right of appeal to the circuit court from orders of demotion, suspension or dismissal.

Reported by the committee without expression of opinion, said report being signed by Messrs. B. C. Beckmann, J. H. Ballard, Joe Schneider, William Klair and M. E. Gilbert.

Mr. L. D. Baldauf, of the Committee on Municipalities, also filed an additional report on House Bill No. 383, signed by Messrs. L. D. Baldauf, H. J. Meyers, J. C. Davis, M. E. Gilbert and H. C. Chappell.

Mr Gilbert moved that he be given unanimous consent of the House to withdraw his name from the report of the committee which reported said bill without expression of opinion.

Said motion was agreed to.

Mr. Beckmann moved that House Bill No. 383 be recommended to the Committee on Municipalities with leave to report at any time.

Said last named motion was agreed to.

By Mr. Beckmann, of the Committee on Municipalities:

H. B. 367. An act to require justices of peace in counties having cities of the first class to provide and maintain a

suitable room for the transaction of public business, and authorizing the payment of the expense thereof out of the county levy.

By same:

H. B. 422. An act authorizing the county assessor in counties containing a city of the first class to purchase an automobile.

By same:

H. B. 17. An act to amend an act entitled an act for government of cities of the second class, by adding to subsection 20 of section 3058, Kentucky Statutes, which is part of above designated act, approved March 19, 1894.

With the expression of opinion that same ought not to pass.

The Speaker then stated the question: Shall said bill be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the affirmative.

By Mr. Bell, of the Committee on Education No. 1.

S. B. 137. An act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18, 1916, relating to the distribution of the state school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor, providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

By Mr. O'Bannon, of the Committee on Public Health:

S. B. 90. An act in relation to advertisements concerning venereal diseases.

By same:

H. B. 192. An act to regulate the use and sale of wood alcohol.

By Mr. Waggoner, of the Committee on Public Roads and Highways:

H. B. 471. An act to provide a lien on motor vehicles for services or work done, or for accessories, or supplies furnished by garages, mechanics, repairmen or other individuals or corporations.

With an amendment thereto.

By same:

S. B. 109. An act relating to the maintenance of inter-county seat state aid roads.

By same:

S. B. 110. An act regulating the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

By same:

S. B. 145. An act to amend and re-enact sections 4329 and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's edition, 1915, relating to public roads.

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 450. An act to amend and re-enact section 7 of chapter 7 of the Acts of the extraordinary session of 1917 relating to reports for corporation license tax.

By same:

H. B. 460. An act providing for the appointment of a member of the State Tax Commission to succeed the Auditor of Public Accounts on said commission.

With an amendment thereto.

By same:

H. B. 451. An act to create the office of State Inheritance Tax Appraiser and to provide for the collection of inheritance taxes.

By same:

H. B. 476. An act relating to revenue and taxation, and providing for payment of license for engaging in certain kinds of business.

By same:

H. B. 461. An act to amend and re-enact section 4122, Kentucky Statutes, edition 1915.

By same:

H. B. 462. An act to require the members of the State Tax Commission and the Secretary of the State Tax Commission to give separate bonds as such officers, and providing the conditions of said bonds, and fixing the amount thereof, and also providing for the payment of the premiums thereon.

By same:

H. B. 477. An act relating to revenue and taxation, repealing subdivision 4 of article 12, chapter 22, of the Acts of the General Assembly of 1906, which act is entitled: An act relating to revenue and taxation, same being section 4224, Kentucky Statutes, and amending and re-enacting the same.

By Mr. Ballard, of the Committee on State University:

S. B. 216. An act to accept the conditions of an act of Congress of the United States entitled an act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in the preparing of teachers for vocational subjects, and to appropriate money and regulate its expenditure, and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid federal act.

Said bills, excepting House Bill No. 11 and House Bill No. 383, were severally read the first time at length and ordered to be placed in the calendar.

Mr. Claude M. Thomas, of the Committee on Agriculture, to which the same had been referred, reported a resolution of the following title, viz.:

H. Res. 19. Resolution requesting the United States government to curtail the acreage of tobacco in Kentucky.

With the expression of opinion that same should not pass.

The Speaker stated the question: Shall said resolution be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

Mr. Vance moved that Senate Bill No. 38 be made a special order for Tuesday next, at eleven o'clock a. m.

Said motion was agreed to.

Mr. A. J. Oliver moved that Senate Bill No. 66 be made a special order for Wednesday next, at two o'clock p. m.

Said motion was agreed to.

Mr. Bays moved that the House now take up for consideration the special order, which had been set for eleven o'clock a. m., and postponed, which is House Bill No. 61.

Said motion was agreed to.

The House then took up for consideration the special order namely, a bill entitled:

H. B. 61. An act to require corporations, firms, partnerships or any concern employing laborers, when they issue script to their employes, to redeem said script in lawful money at the pay day same is payable under the law to the said employe.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter it shall be obligatory upon all corporations, firms, partnerships or any concern employing laborers, when they issue script, or its equivalent, to their employes, to redeem and pay off same in lawful money, and to pay same to the person offering or tendering same to the paymaster or party occupying the position of paying off employes of the said concern, without regard to whether it is the person to

whom it was issued, and the same shall be due and payable at the same pay day at which the said employe was entitled to his pay for work theretofore done.

§ 2. Any corporation, firm, partnership or concern, violating this law shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty nor more than one hundred dollars for each offense.

Mr. Bays offered the following amendment to said bill, viz.:

Amend House Bill No. 61 by adding the following section, viz.:

§ 3. All acts and parts of acts in conflict herewith are hereby repealed.

Said amendment was agreed to.

Mr. McDonogh offered the following amendment to said bill, viz.:

That section 1 of House Bill No. 61 be amended by adding thereto in line nine the following proviso: "Provided that this act shall not apply to and shall not in any way affect, abridge or impair the validity of existing contracts."

Said amendment was disagreed to.

Mr. Musick moved the previous question.

The Speaker then stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. B. Hamilton	T. P. Oliver
Chas. Ashby	E. C. Hardin	W. F. Paris
B. S. Bailey	Joe Huddleston	Lilburn Phelps
L. D. Bauldauf	A. R. Hudson	Luther Pieratt
J. H. Ballard	Chas. L. Hunter	Ote Piper
Robert Bays	J. W. Johnson	Richard Radcliffe
W. T. Beckham	Leslie P. Jones	H. C. Rice
B. C. Beckmann	W. H. Jones	Lewis Ryans
H. V. Bell	Griffin Kelly	Avery Sartin
W. P. Bowman	H. A. Knollman	Claude B. Smith
J. L. Bradford	S. D. Laughlin	R. T. Smith
R. J. Cain	Joseph Lazarus	Thomas Spurrier
H. C. Chappell	M. E. Lee	Ben Street
Everett Cobb	H. J. Meyers	C. M. Thomas
John Cook	S. H. Moore	Elmore Thomas
Fred Cornelius	Ryland C. Musick	J. B. Thomas
James S. Cruse	A. J. McCandless	Geo. F. Thompson
A. A. Demunbrun	H. C. McGehee	J. T. Thornton
J. M. Elliston	S. Lee McGohan	S. G. Thornberry
I. H. Gabbard	H. C. McLellen	J. Wood Vance
W. H. Hager	W. B. O'Bannon	G. F. Walthal
A. L. Hamilton	A. J. Oliver	E. G. Young

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Those who voted in the negative were—

T. L. Caudel	David J. Howard	W. P. McDonogh
A. S. Cooper		

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Resolved, that the title thereof be as aforesaid.

Mr. Musick moved that House Bill No. 319 be recommitted to the Committee on Redistricting—Judicial, with leave to report at any time.

Said motion was agreed to.

Mr. Ryans moved that House Bill No. 277, which had been referred to the Committee on Tuberculosis, be now referred to the Committee on Appropriations.

Said motion was agreed to.

Mr. Street offered the following resolution, viz.:

Whereas, there are for consideration before this body two bills providing for the removal of the offices of the State Board of Health from Bowling Green to the Capital, one of which provides for an appropriation to provide and equip ample quarters and the other no appropriation, now, therefore,

Be it resolved by this body: That the Speaker appoint a committee of three members, representing the majority and the minority party, to inspect the present and proposed sites and report to this body on or before March the eighth, the feasibility of such removal, and the reasons why such removal should be made, if any, and the necessity, if any, of appropriating a sum of money for such purpose with an expression of opinion of the amount needed, if any, for the same.

Said resolution was adopted.

Thereupon, in accordance with said resolution, the Speaker appointed Messrs. Street, Davis and O'Bannon as such committee.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill and a resolution of the following titles, viz.:

H. B. 94. An act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nui-

sances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any premises used for such purposes.

H. Res. 23. Resolution for the benefit of the ministers of the gospel of Frankfort.

Whereupon all other business was suspended, said bill and said resolution were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill and said resolution.

Ordered, that the Enrolling Clerk deliver said bill and said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill and resolution, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill and resolution, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz.:

H. B. 168. An act to amend and re-enact section 1 of an act entitled an act relating to revenue and taxation, provid-

ing an annual tax upon property subject to taxation in this state, fixing the rate thereof, distributing said tax to various departments and state institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations, designating what class of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignment of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing penalties and repealing existing statutes, and approved at a special session of the State Legislature, 1917; and providing that the revenues accruing to the University of Kentucky and the State Normal Schools shall be in lieu of the revenue provided and the appropriations made in section 1 of section 2535b, section 4636b and subsection 5 of section 4636c of the Kentucky Statutes, edition 1915, and of chapter 120, Acts of 1904, and subsections 29, 35 and 36 of section 4535e of the Kentucky Statutes, edition 1915.

With Senate amendment thereto.

(For said bill see H. J. February 7, 1918.)

Said Senate amendment reads as follows, viz.:

Amend House Bill No. 168 in the Senate by adding at the end thereof the following section:

Section 3. Whereas, the Auditor of Public Accounts has not installed a system of bookkeeping as will be required by

the provisions of section 1 of chapter 11 of the Acts of 1917, because it has been unnecessary and, whereas, it will become necessary to install such system before this act will become effective unless it carries an emergency clause, and, whereas, said system of bookkeeping will have to be abandoned as soon as this act becomes effective, an emergency is declared to exist and this act shall become effective upon its approval by the Governor.

Mr. Klair moved that the House concur in said Senate amendment.

Said motion was agreed to.

Said Senate amendment was concurred in.

The yeas and nays being taken on the final passage of said House Bill No. 168 as amended in the Senate, in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	F. A. Easterling	W. F. Klair
Chas. Ashby	J. M. Elliston	H. A. Knollman
B. S. Bailey	I. H. Gabbard	S. D. Laughlin
L. D. Bauldauf	M. E. Gilbert	Joseph Lazarus
J. H. Ballard	W. H. Hager	M. E. Lee
W. T. Beckham	J. S. Hall	H. J. Meyers
B. C. Beckmann	L. B. Hamilton	J. T. Murphy
H. V. Bell	E. C. Hardin	Ryland C. Musick
W. P. Bowman	B. H. Harris	W. P. McDonogh
J. L. Bradford	David J. Howard	H. C. McGehee
O. V. Brown	Joe Huddleston	S. Lee McGohan
H. C. Chappell	A. R. Hudson	H. C. McLellen
A. S. Cooper	Chas. L. Hunter	W. B. O'Bannon
Fred Cornelius	J. W. Johnson	A. J. Oliver
A. A. Demunbrun	Leslie P. Jones	Luther Pieratt
W. G. Dycus	W. H. Jones	Richard Radcliffe

H. C. Rice	Ben Street	F. C. VanHoose
Lewis Ryans	Elmore Thomas	G. F. Walthal
Joe Schneider	J. B. Thomas	T. R. Welch
Thomas Spurrier	J. Wood Vance	E. G. Young

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Those who voted in the negative were—

R. J. Cain	J. C. Davis	Avery Sartin
Everett Cobb	A. J. McCandless	C. M. Thomas

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A message was received from the Senate announcing that they had adopted a resolution originating in that body of the following title, viz.:

S. Res. 18. Joint resolution directing the State Inspector and Examiner to examine and report as to the number of employes connected with State Insurance Board and office of Insurance Commissioner, and which may be dispensed with.

Said resolution reads as follows, viz.:

Whereas, the law provided, "The offices of the State Insurance Board are fixed in the same offices of those of the Commissioner of Insurance and all records kept therein," and that "the clerical force of said board and said Commissioner shall be jointly employed and their services be used for the work of the said offices," and

Whereas, this law is being violated, as reported by the Probe Committee, by the State Insurance Board, and by the Commissioner of Insurance, in that they maintain separate offices and engage separate employes, thereby increasing the number of employes, the salaries and expenses unnecessarily, therefore,

Be it resolved, The House and Senate concurring, that the State Inspector and Examiner immediately ascertain and report how many of the employes in the office of the State

Insurance Board and the Commissioner of Insurance may be dispensed with, if said Board of Commissioners comply with the law, and how much can be saved in salaries and expenses if they comply with the law; that said State Inspector and Examiner report his findings hereunder to the House and Senate and to the office of the Attorney General of the State of Kentucky, and,

Be it further resolved, That upon the filing of said report in the office of the Attorney General for the state of Kentucky, that said Attorney General be, and he is, hereby directed and required to take immediate steps to remove said State Insurance Board and said Commissioner of Insurance from office for violating the statute aforesaid, unless they immediately and voluntarily comply with the recommendations returned by the State Inspector and Examiner in said report, and to take necessary steps to require such unnecessary employes and appointees thereof to be discharged and to require the offices thereof to be kept and conducted in the manner provided by the statute hereinbefore set forth, and that he report his acts and doings herein to the present session of the General Assembly.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Hardin moved that House Bill No. 97 be made a special order for Tuesday next, at eleven thirty a. m

Said motion was agreed to.

Mr. Hudson moved that the calendar be now read.

Said motion was agreed to.

Thereupon the House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 452. An act permitting Board of Trustees in cities of the sixth class to cut and remove weeds at the expense of the property owner.

H. B. 354. An act to amend section 227 of the Constitution of the Commonwealth of Kentucky relating to removal of officers for the misfeasance, malfeasance or neglect of duty.

H. B. 437. An act to provide a state flag for the Commonwealth of Kentucky and to prescribe the design thereof.

H. B. 402. An act to amend subsection 4 of section 331a of Kentucky Statutes, Carroll's edition, 1915, relating to the employment of children.

H. B. 453. An act amending section 684 of subdivision IV of article IV, chapter 32, of the Kentucky Statutes, edition 1915, pertaining to insurance other than life.

H. B. 381. An act authorizing and empowering cities of the third class to lease, acquire, build, construct, equip, operate and own a line or lines of street railway within the limits of their corporate boundaries, and to provide the necessary rolling stock therefor, and such switches, turnouts, grounds, buildings and equipment for power houses and depots, and power that may be necessary in the operation of such street railway line or lines, and to provide for the payment of costs thereof.

H. B. 364. An act to amend and re-enact section 3276, subdivision 2 of article 4, chapter 89, Kentucky Statutes, and providing for the regular meetings of the common council and compensation of its members in cities of the third class.

H. B. 392. An act to repeal and re-enact section 11 of chapter 19 of the Acts of 1916, entitled an act creating the State Insurance Board, to supervise the operation of fire insurance rate making bureaus and providing for their examination, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate making

bureaus, requiring inspection and survey by such bureaus of all risks specifically rated and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the powers of fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyds plan, and penalty for violation thereof, and repealing existing statutes.

H. B. 324. An act relating to sale of property and assets of private corporations.

H. B. 271. An act fixing the fees of the county court clerk for issuing license.

With an amendment thereto.

H. B. 373. An act relating to public health, repealing, amending and re-enacting section 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station, and for other purposes creating county and district departments of health and providing and limiting the appropriations of the State Board of Health and further defining its powers and duties.

With amendments thereto.

S. B. 194. An act to amend and re-enact sections 18 and 20 of the act approved March 17th, 1914, entitled an act relating to the establishment, protection and building of levees for the public benefit, which appears on page 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessments against lands protected by levees, for the purpose of raising money to pay the principal and interest on bonds and other liabilities of the district, and levee commissioners, which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of lands may not be applicable.

H. B. 359. An act relating to the drainage and the prevention of overflow of lands, towns, cities, roads, streets, the establishment, organization and maintenance of drainage, levee and reclamation districts, the construction and maintenance of public ditches, canals, drains, sewers, dams, levees and the straightening, widening, deepening, enlarging, and otherwise improving public ditches, drains, creeks, rivers or streams, prescribing the method of procedure, the levying and collection of assessment for the payment of the costs and expenses of establishing and organizing such districts, the construction of such improvements, creating and incorporating Boards of Drainage Commissioners, and prescribing the duties of commissioners and other officers and employes, and providing for the payment of such officers and employes performing duties, the issuing and selling of district bonds, with which to secure funds with which to defray the cost and expenses of improvements hereunder.

H. B. 97. An act for the benefit of the Kentucky School for the Blind; to provide an increase in the annual appro-

priation for the white department and for the colored department and to make an annual appropriation for the education and vocational training of the adult blind of Kentucky.

With an amendment thereto.

H. B. 127. An act for the benefit of the Kentucky School for the Deaf, white and colored, carrying an appropriation of fifty dollars increase in per capita, and special appropriations of twelve thousand nine hundred fifty dollars.

With an amendment thereto.

H. B. 396. An act to amend an act entitled an act relating to revenue and taxation.

H. B. 350. An act to amend and re-enact sections 1 and 5 of an act entitled an act for the protection of game and fish, approved March 12, 1912.

With an amendment thereto.

H. B. 56. An act to raise funds to be used to eradicate illiteracy from the Commonwealth of Kentucky, and to educate the children of the Commonwealth by taxing unmarried persons, and to provide a way and manner for collecting said tax.

H. B. 431. An act relating to building and loan associations, placing them under the charge of the Banking Department, and providing for an examination of their property, assets and business by that department.

H. B. 393. An act to repeal section 4752 of the Kentucky Statutes, and enact in lieu thereof an act to define vagrants and vagrancy and provide punishment therefor.

H. B. 454. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded.

ed, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern the Kentucky Institute for Feeble-Minded Children, and sections 2156 to 2171, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and to provide penalties for the violation of this act.

S. B. 24. An act creating a Budget Commission, prescribing its powers and duties, providing a budget system of appropriations and a method for ascertaining the expenditures of the various departments of the state government; providing for certain reports to be made to the Budget Appropriation Commission and the manner of making the same; providing for the submission to the General Assembly of a budget compiled by the Budget Appropriation Commission and fixing penalties for violation.

S. B. 53. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same with certain modifications thereof.

H. B. 246. An act to repeal and re-enact section 12 of chapter 43, Acts of the General Assembly of 1916, which act is entitled an act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth, approved March 19, 1912, entitled an act to provide for the organization, armament, discipline, and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a state guard and making an appropriation for same.

H. B. 372. An act to amend and re-enact section 14 of an act entitled an act to regulate the practice of veterinary medicine, surgery and dentistry in the state of Kentucky; license non-graduate veterinarians; to establish a

State Board of Veterinary Medical Examiners, and to provide penalties for violating the provisions thereof, approved March 24, 1916, now constituting chapter 71 of the compiled acts of the General Assembly of 1916.

H. B. 401. An act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the maximum weight per carload.

With an amendment thereto.

H. B. 365. An act to prohibit the slaughter of calves under twelve months of age, except male Jersey calves, and providing a penalty for a violation of this act.

H. B. 141. An act to amend section 4649 of chapter 122, Kentucky Statutes.

The constitutional provision as to the second reading of said bills at length being dispensed with said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House, in accordance with a motion made and agreed to, adjourned to meet again on Monday, March 4, 1918, at 1:30 o'clock.

MONDAY, MARCH 4, 1918.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the Presbyterian Church, of Frankfort, Ky.

The following communication was read to the House, viz.:

Frankfort, Ky., March 4, 1918.

House of Representatives of Kentucky:

GENTLEMEN:—Judge H. C. Rice, the gentleman from Madison, is hereby designated as Speaker *pro tem.* for Monday, March 4, 1918.

Respectfully,

ROBERT T. CROWE,
Speaker.

Upon a call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	James S. Cruse	Leslie P. Jones
Chas. Ashby	J. C. Davis	W. H. Jones
J. H. Ballard	A. A. Demunbrun	Griffin Kelly
Robert Bays	H. Lawrence Dixon	W. F. Klair
W. T. Beckham	I. H. Gabbard	H. A. Knollman
H. V. Bell	Lark Garnett	W. T. Lasley
Leroy Bonta	M. E. Gilbert	S. D. Laughlin
W. P. Bowman	W. H. Hager	M. E. Lee
J. L. Bradford	J. S. Hall	J. E. Lilly
O. V. Brown	A. L. Hamilton	H. J. Meyers
R. J. Cain	B. H. Harris	Clarence Miller
T. L. Caudel	David J. Howard	S. H. Moore
H. C. Chappell	Joe Huddleston	Ryland C. Musick
A. S. Cooper	A. R. Hudson	A. J. McCandless
Fred Cornelius	Chas. L. Hunter	W. P. McDonogh
W. P. Cropper	J. W. Johnson	S. Lee McGohan

H. C. McLellen	Lewis Ryans	S. G. Thornberry
W. B. O'Bannon	Avery Sartin	J. Wood Vance
T. P. Oliver	R. T. Smith	F. C. VanHoose
W. F. Paris	Thomas Spurrier	G. C. Waggoner
Lilburn Phelps	John W. Swope	G. F. Walthal
Luther Pieratt	C. M. Thomas	E. G. Young
Ote Piper	Elmore Thomas	
H. C. Rice	J. T. Thornton	—70

Upon motion of Mr. Cruse the reading of the Journal of Friday, March 1st, 1918, was dispensed with and the Journal approved.

Mr. Caudel moved that the rules be suspended and House Bill No. 136 be made a special order for tomorrow afternoon at two thirty o'clock.

Said motion was agreed to.

Mr. Phelps moved that the rules be suspended and House Bill No. 194 be made a special order for tomorrow immediately following the consideration of House Bill No. 97.

Said motion was agreed to.

Mr. Bell moved that the rules be suspended and House Bill No. 349 be made a special order for Wednesday afternoon at three o'clock.

Said motion was agreed to.

Mr. McLellen moved that the rules be suspended and House Bills Nos. 248 and 251 be made special orders for Friday next at eleven o'clock a. m.

Said motion was agreed to.

Mr. Claude M. Thomas moved that the rules be suspended and House Bill No. 393 be made a special order for tomorrow at two o'clock p. m.

Said motion was agreed to.

Mr. Piper moved that the rules be suspended and that the House take from the orders of the day for consideration at this time Senate Bill No. 194.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 194. An act to amend and re-enact sections 18 and 20 of the act approved March 17, 1914, entitled an act relating to the establishment, protecting and building of levees for the public benefit, which appears on page 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessments against lands, protected by levees, for the purpose of raising money to pay the principal and interest on bonds and other liabilities to the district and levee commissioners, which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of lands may not be applicable.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 18 of an act approved March 17, 1914, relating to the establishment, protecting and building of levees for the public benefit, as appears on page 71 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1914, be amended and re-enacted so as to read as follows:

LIEN FOR RECONSTRUCTION, ENLARGEMENT, REPAIR OR
MAINTENANCE.

That in cases where levee districts have been heretofore established, under the laws in force in the state of Kentucky, or established under this act, a lien shall exist for the cost of the establishment, construction, reconstruction, repair, enlargement, extension and maintenance of such levee against the land situated within the territory protected by such levee, superior to all other liens, except for taxes due the state, county, municipality or taxing district in which the land may be located.

§ 2. That section 20 of the act approved March 17, 1914, relating to the establishment, protecting and building of levees for the public benefit, which appears on page 71, of the Acts of the General Assembly of the Commonwealth of Kentucky of 1914, be amended and re-enacted so as to read as follows:

ASSESSMENT MADE UNDER GENERAL LAW.

That whenever it may be necessary in order that the Board of Levee Commissioners may have sufficient funds to enable them to pay the interest and principal of any bonds heretofore issued, or any liability that may have been incurred necessary in the reconstruction, repair or maintenance of any public levee (or may hereafter incur), heretofore constructed in the state of Kentucky, but not under the general laws of the state pertaining to drainage of lands and for the purpose of reconstructing, repair or maintenance of any public levee heretofore constructed, but not under the general laws of Kentucky pertaining to drainage of lands; the said Board of Levee Commissioners of the county or any landowners benefited by the reconstruction, enlargement, repair or maintenance of such public levee, may proceed in the county court of the county in which such levee commissioners have been appointed to have the lands benefited by

such reconstruction, enlargement, repair or maintenance, classified and formed into a district and assessments made against them for the purpose of paying the interest and principal of any liability heretofore incurred, or which may be hereafter incurred, by any reconstruction, repair or maintenance of such public levee, in the same manner as provided in the general laws of Kentucky pertaining to drainage of lands, as an original proceeding, for the construction of all levees, ditches, drains or canals.

Provided, a proceeding to have the lands protected by such levee assessed for the repair or maintenance of such levee for the current year, shall be sufficient authority in the Board of Levee Commissioners, to make an assessment of a like amount, against the land in the district protected by the said levee, annually thereafter, and of such a lesser amount as may be necessary in their discretion in any year thereafter, to repair and maintain such levee; and, provided, that for the reconstruction and enlargement of such public levee, when the cost thereof cannot be paid out of annual assessments made for the repair or maintenance of such levee, as hereinbefore set out, original proceedings may be had to classify the land benefited by such reconstruction or enlargement and form the same into a district and make assessments against the land so benefited for the cost thereof, as often as may be necessary.

§ 3. This act shall be in full force and effect from and after its passage and approval.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Lark Garnett	W. P. McDonogh
Chas. Ashby	M. E. Gilbert	H. C. McGehee
B. S. Bailey	W. H. Hager	W. B. O'Bannon
J. H. Ballard	J. S. Hall	T. P. Oliver
Robert Bays	B. H. Harris	Lilburn Phelps
W. T. Beckham	David J. Howard	Luther Pieratt
H. V. Bell	Joe Huddleston	Ote Piper
Leroy Bonta	A. R. Hudson	Richard Radcliffe
W. P. Bowman	Chas. L. Hunter	Avery Sartin
J. L. Bradford	J. W. Johnson	R. T. Smith
O. V. Brown	Leslie P. Jones	John W. Swope
T. L. Caudel	W. H. Jones	C. M. Thomas
H. C. Chappell	Griffin Kelly	Elmore Thomas
A. S. Cooper	W. F. Klair	Geo. F. Thompson
Fred Cornelius	W. T. Lasley	J. T. Thornton
W. P. Cropper	S. D. Laughlin	S. G. Thornberry
J. C. Davis	J. E. Lilly	J. Wood Vance
A. A. Demunbrun	H. J. Mevers	G. F. Walthal
H. Lawrence Dixon	S. H. Moore	E. G. Young
J. M. Elliston	Ryland C. Musick	
I. H. Gabbard	A. J. McCandless	—61

There voted in the negative—

Ben Street

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Resolved, that the title thereof be as aforesaid.

Mr. Swope moved that the rules be suspended and House Bill No. 216 be made a special order for Wednesday next, at two thirty o'clock p. m.

Said motion was agreed to.

Mr. Bays moved that the rules be suspended and House Bill No. 155 be made a special order for this hour.

Said motion was disagreed to.

Mr. Musick moved that the rules be suspended and House Bill No. 379 be made a special order for Friday next at two o'clock p. m.

Said motion was disagreed to.

Mr. Welch moved that the rules be suspended and House Bill No. 373 be recommitted to the Committee on Appropriations with leave to report at any time.

Said motion was agreed to.

Mr. Waggoner moved that the House refuse to make any further special orders today.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 4. An act to amend an act approved December 3, 1892, entitled an act relating to interest and usury.

To the Committee on Insurance, Life and Accident.

S. B. 131. An act to amend sections 1, 7, 16, 17 and 45 of an act entitled an act to provide an elective system of Workmen's Compensation for industrial accidents, and known as chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, and approved by the Governor on March 23, 1916.

To the Committee on Compensation for Industrial Injuries.

S. B. 238. An act to establish an athletic board of control and prescribing the duties and powers of same and to

license and regulate the giving or holding of boxing or sparring contests or exhibitions in this state, providing for the payment of a tax, and license and prohibiting the sale of intoxicating liquors on the premises where any boxing exhibition is held, and prohibiting any betting or gaming at any such contest and providing for penalty for violation of this act.

To the Committee on Kentucky Statutes.

A message was received from the Senate announcing that they had passed a bill originating in the House of the following title, viz.:

H. B. 35. An act to amend and re-enact section 19 of chapter 1 of the Acts of the extraordinary session of the General Assembly of 1917, relating to the appointment and number of county supervisors.

Also, that they had adopted a joint resolution of the following title, viz.:

S. Res. 15. Resolution providing for the adoption of the Legislative Digest as the official publication of the General Assembly and to purchase copies of same for the members of the General Assembly and certain officials.

Whereas, it is a matter of importance and convenience that each Senator and Representative be advised as to the various and detailed steps of legislation; and,

Whereas, there is a publication under the editorship and management of competent and experienced persons known as "The Legislative Digest," the purpose of which is to fully advise from day to day, the officials and public of the Commonwealth as to all matters affecting them in an intelligent, useful and prompt manner; therefore,

Be it resolved by the Senate of Kentucky, the House of Representatives concurring, That the purpose of the Legislative Digest be approved, and the same be adopted as the official publication of this General Assembly; that the publishers are hereby directed to furnish daily a copy to each member and clerk of the General Assembly and to the heads of each state department; that the publishers are allowed the sum of ten dollars (\$10.00) for each subscription for the session, and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount when such service has been concluded.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Dill offered the following joint resolution, viz.:

H. Res. 25. Joint resolution to reimburse certain persons in Campbell county for the unexpired term values of their liquor licenses made inoperative by reason of war orders and ordinances passed pursuant thereto.

Said resolution reads as follows, viz.:

Whereas, the city of Fort Thomas, in Campbell county, by an ordinance duly and regularly passed for enforcement December 7, 1917, in conformity with orders of the War Board, prohibited the sale of intoxicants in said city for and during the war, because of the fact that a large military recruiting depot is located in said city; and,

Whereas, Dominick Dietrich, Charles Riedematter, Louis Leicht, Harry Leisring, Theodore Burck and M. J. Steffen are licensed retail liquor dealers in said city and their licenses did, by the passage of said ordinance, become inoperative and of no value for the remaining period of the year for which they were issued; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That warrants be drawn by the Auditor on the Treasurer of the state of Kentucky in the sums set out herein for the licenses mentioned upon the presentation of claims verified in form provided by the Auditor, as follows:

The sum of.....	\$ 47.12	for Dominick Dietrich
The sum of.....	\$183.56	for Charles Riedematter
The sum of.....	\$196.69	for Louis Leicht
The sum of.....	\$ 65.75	for Harry Leisring
The sum of.....	\$120.55	for Theodore Burck
The sum of.....	\$127.12	for M. J Steffen

Total.....\$740.79

as refunders of and for licenses for said licensees for retailing intoxicants in Fort Thomas, the same to be transmitted to the county clerk of Campbell county to be delivered for collection to said licensees upon production of their licenses.

§ 2. The county clerk shall, upon production of the licenses and delivery of the warrants cancel the license on the order book of the county court and notify the Auditor of same.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Caudel offered the following joint resolution, viz.:

H. Res. 26. Joint resolution for the benefit of J. W. Hedden, formerly Superintendent of Public Printing.

Said resolution reads as follows, viz.:

Whereas, J. W. Hedden served the Commonwealth of Kentucky in the capacity of Superintendent of Public Printing of the Commonwealth of Kentucky, under appointment on the Board of Printing Commissioners made June 1st, 1906,

for a period of four years from said date, to-wit, from June 1, 1906, to June 1, 1910, and,

Whereas, during the session of the Legislature of 1908 and 1910, by reason of the great volume of work thrown upon his office he was required to and did provide himself with assistance, and for which assistance he paid from his own funds the sum of \$229.38, and, whereas, said sum of money has never been refunded or paid to said Hedden up to this time; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts be, and he is, directed to draw his warrant on the Treasurer of the Commonwealth, for the sum of \$229.38 and interest from January 1, 1910, to January 1, 1918, at the legal rate, payable out of the General Expenditure fund, payable to said J. W. Hedden, in full of his claim for money paid out by him by reason of the employment of assistance during the Legislative sessions of 1908 and 1910, and which aggregates \$339.48.

Ordered, that said resolution lie on the Clerk's desk.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Claude M. Thomas:

H. B. 505. An act for the protection of the health and comfort of ladies, by prohibiting smoking in certain dining rooms.

To the Committee on Public Health.

By Mr. Klair:

H. B. 506. An act to amend section 1 of an act in relation to advertisements and entitled "advertisements," approved January 13th, 1893.

To the Committee on Printing.

By Mr. Miller:

H. B. 507. An act to amend an act entitled an act for the government of cities of the fourth class in the Commonwealth of Kentucky, which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said act and amendments now appear in Article 5 of chapter 89 of the Kentucky Statutes, in John D. Carroll's 1915 edition thereof, whereby cities of the fourth class may go under the commission form of government.

To the Committee on Cities of the Fourth Class.

By same:

H. B. 508. An act to protect operators and producers of petroleum oil within this Commonwealth.

To the Committee on Mines and Mining.

By Mr. Garnett:

H. B. 509. An act providing for the oiling of streets and alleys of cities and towns of the fourth, fifth and sixth class.

To the Committee on Cities of the Fifth and Sixth Class.

By Mr. McDonogh:

H. B. 510. An act relating to crimes and punishment and allowing persons convicted of felonies to execute bond pending appeal to Court of Appeals.

To the Committee on Kentucky Statutes.

By same:

H. B. 511. An act for the benefit of the State University (colored) of Louisville, Ky.

To the Committee on Appropriations.

By same:

H. B. 512. An act to amend subsection 1 of section 4780 of the Kentucky Statutes, Carroll's 1915 edition, being an act approved March 21st, 1904.

To the Committee on Kentucky Statutes.

By Mr. Hager:

H. B. 513. An act to amend and re-enact section 132 of article 4 of chapter 8, Kentucky Statutes, Carroll's edition, 1915, relating to the office of county attorney.

To the Committee on County and City Courts.

By Mr. Beckham:

H. B. 514. An act to repeal subsection 5 of section 493 of the Kentucky Civil Code of Practice and re-enact said sub-section 5 of section 493 of the Civil Code.

To the Committee on Codes of Practice.

By same:

H. B. 515. An act to provide for the opening of private passways.

To the Committee on Kentucky Statutes.

By Mr. Trusty:

H. B. 516. An act prohibiting fortune telling, clairvoyancy, etc.

To the Committee on Retrenchment and Reform.

Mr. Demunbrun called up for consideration from the Clerk's desk a resolution of the following title, viz.:

S. Res. 8. A resolution to permit P. F. Edwards to sue the state of Kentucky.

Said resolution reads as follows, viz.:

Whereas, P. F. Edwards was sheriff of Edmonson county in the years of 1863 and 1864, and,

Whereas, during said years and by reason of his services as sheriff during said years, he was required by the Auditor of the state of Kentucky to pay into the State Treasury \$318.00 which was illegal according to the contention of the said Edwards, and,

Whereas, he is now old and without means to earn a support, now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. P. F. Edwards of Edmonson county is authorized to institute suit against the Commonwealth of Kentucky for the sum of \$318.00 paid into the State Treasury about the year 1865 or 1866. The state is hereby authorized and directed to waive any plea of the statute of limitations,

and if judgment is entered in favor of said Edwards the Auditor of Public Accounts is directed to draw his warrant in favor of said Edwards at the final conclusion of said action, and the Treasurer is directed to pay said warrant out of any money in the treasury not otherwise appropriated.

Mr. Demunbrun moved that said resolution be adopted.

Said motion was agreed to.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	Lark Garnett	T. P. Oliver
L. D. Baldauf	M. E. Gilbert	W. F. Paris
J. H. Ballard	B. H. Harris	Lilburn Phelps
Robert Bays	Joe Huddleston	Richard Radcliffe
Leroy Bonta	A. R. Hudson	H. C. Rice
W. P. Bowman	J. W. Johnson	Avery Sartin
R. J. Cain	Leslie P. Jones	R. T. Smith
T. L. Caudel	W. H. Jones	John W. Swope
H. C. Chappell	Griffin Kelly	C. M. Thomas
John Cook	W. F. Klair	Elmore Thomas
A. S. Cooper	H. A. Knollman	G. F. Thompson
W. P. Cropper	S. D. Laughlin	J. T. Thornton
A. A. Demunbrun	Joseph Lazarus	S. G. Thornberry
H. L. Dixon	M. E. Lee	J. Wood Vance
W. G. Dycus	Ryland C. Musick	F. C. VanHoose
F. A. Easterling	A. J. McCandless	G. F. Walthal
J. M. Elliston	W. P. McDonogh	T. R. Welch
L. L. Embry	H. C. McGehee	
I. H. Gabbard	H. C. McLellen	

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Those who voted in the negative were—

W. H. Hager	David J. Howard	E. G. Young
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And so said resolution was adopted.

Mr. Lasley offered the following resolution, viz.:

Whereas, C. R. Reed, a native Kentuckian and now a resident of Alaska, a Democrat of long standing and fully qualified for the position he seeks, is applicant for appointment as Governor of Alaska,

Be it resolved, That the House of Representatives of the state of Kentucky do hereby endorse said C. R. Reed for this position.

That a copy of this resolution be sent to the President.

Said resolution was adopted.

Mr. Phelps presented petitions signed by sundry citizens and voters residing outside and within the corporate limits of the town of Dunnville, in Casey county, Kentucky, petitioning this Legislature to repeal an act of a former Legislature incorporating the town of Dunnville.

And then the House, at three o'clock p. m., adjourned.

TUESDAY, MARCH 5, 1918.

The House was opened with prayer by the Rev. J. C. Pelgrim, pastor of the Presbyterian Church, of the city of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	J. H. Ballard	H. V. Bell
Chas. Ashby	Robert Bays	Leroy Bonta
B. S. Bailey	W. T. Beckham	W. P. Bowman
L. D. Bauldauf	B. C. Beckmann	J. L. Bradford

O. V. Brown	Joe Huddleston	Luther Pieratt
R. J. Cain	A. R. Hudson	Ole Piper
T. L. Caudel	Chas. L. Hunter	Richard Radcliffe
H. C. Chappell	J. W. Johnson	H. C. Rice
Everett Cobb	W. H. Jones	Lewis Ryans
John Cook	W. F. Klair	Avery Sartin
A. S. Cooper	S. D. Laughlin	Joe Schneider
Fred Cornelius	M. E. Lee	R. T. Smith
W. P. Cropper	J. E. Lilly	Thomas Spurrier
James S. Cruse	H. J. Meyers	Ben Street
J. C. Davis	Clarence Miller	John W. Swope
A. A. Demunbrun	S. H. Moore	C. M. Thomas
H. Lawrence Dixon	J. T. Murphy	Elmore Thomas
F. A. Easterling	Ryland C. Musick	J. B. Thomas
J. M. Elliston	A. J. McCandless	Geo. F. Thompson
I. H. Gabbard	W. P. McDonogh	J. T. Thornton
Lark Garnett	H. C. McGehee	S. G. Thornberry
M. E. Gilbert	S. Lee McGohan	F. C. VanHoose
W. H. Hager	W. B. O'Bannon	G. C. Waggoner
A. L. Hamilton	A. J. Oliver	G. F. Walthal
L. B. Hamilton	T. P. Oliver	W. N. Winn
E. C. Hardin	W. F. Paris	E. G. Young
B. H. Harris	Lilburn Phelps	

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On motion of Mr. Davis the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Cruse moved that the rules be suspended and House Bill No. 268 be taken from the orders of the day and made a special order for Thursday next at eleven o'clock a. m.

Said motion was agreed to.

Mr. Cruse moved that the rules be suspended and House Bill No. 269 be taken from the orders of the day and made a special order for Thursday next immediately following House Bill No. 268.

Said motion was agreed to.

Mr. Beckham moved that the rules be suspended and House Bill No. 274 be made a special order for eleven thirty o'clock a. m. on Thursday next.

Said motion was agreed to.

Mr. Davis moved that the rules be suspended and Senate Bill No. 52 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 52. An act amending that part of section No. 965, Kentucky Statutes, relating to the times for holding circuit courts in certain districts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That that part of section No. 965, Kentucky Statutes, edition 1915, relating to the times for holding court in the Eighteenth, Twenty-eighth, Twenty-ninth, Thirty-third and Thirty-fourth Judicial Districts be, and the same is, hereby stricken out and in lieu thereof the following is enacted:

“Eighteenth Judicial District.—Pendleton county, on the second Mondays in January and April, and third Monday in October, eighteen juridical days each. Harrison county, on the fourth Mondays in February and May, first Monday in September and December and continue eighteen juridical days each. Nicholas county, on the first Mondays in February and May, and fourth Monday in September, eighteen

juridical days each. Robertson county, on the third Mondays in March and August and third Monday in November, twelve juridical days each.

“Twenty-eighth District.—Clinton county, third Mondays in September and April and continue twelve juridical days each; second Monday in July and continue six juridical days each; Pulaski county, fourth Monday in October and continue thirty juridical days; third Monday in February and continue thirty juridical days; fourth Monday in May and continue twenty-four juridical days. Rockcastle county, third Monday in August and continue eighteen juridical days. First Monday in February and continue twelve juridical days; first Monday in May and continue eighteen juridical days. Wayne county, first Monday in October, fourth Monday in March and continue eighteen juridical days each, and fourth Monday in June and continue twelve juridical days.

“Twenty-ninth District.—Adair county, first Mondays in March and July and continue twelve juridical days each and on the first Wednesday after the first Monday in November and continue sixteen juridical days. Casey county, on first Mondays in February, June and October and continue twelve juridical days each. Cumberland county, on third Mondays in March and July and the fourth Monday in November and continue twelve juridical days each. Russell county, on the third Mondays in February, June and October and continue twelve juridical days each. Monroe county, on the first Mondays in April and August and the second Monday in December and continue twelve juridical days each.

“Thirty-third District.—Perry county, first Mondays in January, May and October and continue twenty-four juridical days each. Leslie county, first Monday in February and continue twenty juridical days each, and first Mondays in June and November and continue eighteen juridical days each. Owsley county, first Monday in March, fourth Monday in June and November and continue twelve juridical days each.

“Thirty-fourth District.—Whitley county, fourth Monday in January and continue thirty-six juridical days; second Monday in May and continue thirty juridical days. Third Monday in September and continue thirty-six juridical days each. McCreary county, second Monday in March, third Monday in June, first Monday in November and continue eighteen juridical days each. Knox county, first Monday in April and continue thirty juridical days; third Monday in August, fourth Monday in November and continue twenty-four juridical days each.”

§ 2. On account of the urgent necessity of the immediate change in the dates of holding said circuit courts, an emergency is hereby declared to exist and this bill shall take effect immediately upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. L. Bradford	J. C. Davis
Chas. Ashby	R. J. Cain	A. A. Demunbrun
B. S. Bailey	T. L. Caudel	H. Lawrence Dixon
J. H. Ballard	H. C. Chappell	F. A. Easterling
Robert Bays	Everett Cobb	Lark Garnett
W. T. Beckham	John Cook	M. E. Gilbert
B. C. Beckmann	A. S. Cooper	W. H. Hager
H. V. Bell	Fred Cornelius	A. L. Hamilton
Leroy Bonta	W. P. Cropper	L. B. Hamilton
W. P. Bowman	James S. Cruse	E. C. Hardin

B. H. Harris	Ryland C. Musick	R. T. Smith
Joe Huddleston	A. J. McCandless	Thomas Spurrier
A. R. Hudson	W. P. McDonogh	Ben Street
Chas. L. Hunter	H. C. McGehee	John W. Swope
J. W. Johnson	W. B. O'Bannon	C. M. Thomas
W. H. Jones	A. J. Oliver	Elmore Thomas
Griffin Kelly	T. P. Oliver	J. B. Thomas
W. F. Klair	W. F. Paris	Geo. F. Thompson
H. A. Knollman	Lilburn Phelps	J. T. Thornton
W. T. Lasley	Luther Pieratt	S. G. Thornberry
S. D. Laughlin	Ote Piper	F. C. VanHoose
M. E. Lee	Richard Radcliffe	G. C. Waggoner
J. E. Lilly	H. C. Rice	G. F. Walthal
H. J. Meyers	Lewis Ryans	W. N. Winn
Clarence Miller	Avery Sartin	E. G. Young
S. H. Moore	Joe Schneider	

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Resolved, that the title thereof be as aforesaid.

Mr. Sartin moved that the rules be suspended and House Bill No. 206 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 206. An act to amend subsection 4 of chapter 13 of the Acts of the General Assembly of 1916, relating to corrupt practices, by inserting after the word "on," at the end of line four of said subsection the words "or before," and by inserting after the word "on," in line six of said subsection, the words "or before."

Said bill reads as follows, viz.:

"§ 4. Any person who shall be a candidate before any caucus or convention, or at any primary election, before any

final election for any state, city, county, town, municipal or district office shall on or before the fifteenth day before the date for making such nominations, and also on or before the fifteenth day before the final election, file with the officer with whom his nomination papers must be filed in case of a primary, and with the chairman of the board authorized to issue the certificate of election after a final election, or with the secretary of state when nomination is made by caucus or convention for officers of the state at large, or for districts larger than one county, and with the county clerk in all other cases, a statement in writing, which statement shall be subscribed and sworn to by such candidate and which shall set forth in detail all sums of money, or other thing of value, contributed, disbursed, expended or promised by him, and to the best of his knowledge and belief, by any person in his behalf, wholly or in part, endeavoring to secure his nomination or election to such office or place; and also sums of money contributed, disbursed, expended or promised by him in support, and in connection with the nomination or election of any other person at such election, primary or nominating convention, and showing the dates when, the person to whom, and the purpose for which, all such sums were paid, expended or promised. Said statement shall set forth in detail each item of contribution or expenditure, and he shall before some officer qualified to administer oaths subscribe and file with said statement the following oath:

“I do solemnly swear (or affirm) that the statement herewith filed embraces all money spent by me, or in my behalf with my knowledge; by any person for me; that I have neither directly nor indirectly, arranged for or encouraged the spending of any money other than as shown in my said statement; that I have not repaid any money so spent or claimed to have been spent and that I will not do so, and that I have not violated any of the provisions of this act in letter or in spirit.”

Mr. B. S. Bailey offered the following amendment to said bill, viz.:

Amend House Bill No. 206 by striking out the words "or for districts larger than one county and with the county clerk in all other cases," which words are in lines ten and eleven, and inserting in lieu thereof the following words: "And in all other cases with the county clerk of the county wherein the candidate resides."

Said amendment was adopted.

Mr. Phelps offered the following amendment to said bill, viz.:

Amend House Bill No. 206, in lines three and five, section four, by striking out "or before the" and insert "between the tenth and."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	B. C. Beckmann	J. L. Bradford
J. H. Ballard	H. V. Bell	O. V. Brown
Robert Bays	Leroy Bonta	R. J. Cain
W. T. Beckham	W. P. Bowman	T. L. Caudel

H. C. Chappell	Leslie P. Jones	Luther Pieratt
Everett Cobb	W. H. Jones	Ote Piper
A. S. Cooper	Griffin Kelly	Richard Radcliffe
Fred Cornelius	H. A. Knollman	Lewis Ryans
W. P. Cropper	W. T. Lasley	Avery Sartin
James S. Cruse	S. D. Laughlin	Joe Schneider
J. C. Davis	Joseph Lazarus	R. T. Smith
A. A. Demunbrun	J. E. Lilly	John W. Swope
H. Lawrence Dixon	Harry J. Meyers	C. M. Thomas
W. G. Dycus	Claude D. Minor	Elmore Thomas
F. A. Easterling	S. H. Moore	J. B. Thomas
I. H. Gabbard	John T. Murphy	Geo. F. Thompson
Lark Garnett	A. J. McCandless	J. T. Thornton
M. E. Gilbert	W. P. McDonogh	S. G. Thornberry
W. H. Hager	H. C. McGehee	J. Wood Vance
J. S. Hall	H. C. McLellen	F. C. VanHoose
A. L. Hamilton	W. B. O'Bannon	G. F. Walthal
L. B. Hamilton		T. R. Welch
B. H. Harris	A. J. Oliver	W. N. Winn
Joe Huddleston	T. P. Oliver	E. G. Young
Chas. L. Hunter	W. F. Paris	
J. W. Johnson	Lilburn Phelps	

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Resolved, that the title thereof be as aforesaid.

Mr. Hudson moved that the rules be suspended and House Bill No. 134 be made a special order for three o'clock p. m. today.

Said motion was agreed to.

Mr. A. J. Oliver moved that the rules be suspended and House Bill No. 230 be made a special order for Thursday next at two-thirty o'clock p. m.

Said motion was agreed to.

Mr. Cooper moved that the rules be suspended and Senate Bill No. 53 be made a special order for Friday next at three o'clock p. m.

Mr. Lee moved that the rules be suspended and Senate Bill No. 45 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 45. An act changing the time for holding the sessions of circuit courts in the Ninth Circuit Court District of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That so much of section 965 of Carroll's Kentucky Statutes of 1915, as relates to the Ninth Circuit Court District be, and the same is, hereby amended by striking out the whole of the following portion of said section 965, to-wit:

"Ninth District.—Grayson county, at Leitchfield, on the first Monday in January, eighteen juridical days; on the first Monday in April, eighteen juridical days; first Monday in September, eighteen juridical days. Meade county, at Brandenburg, on the fourth Mondays in January, April and September, twelve juridical days each. Breckinridge county, at Hardinsburg, on the second Mondays in February, May and October, eighteen juridical days each. Hardin county, at Elizabethtown, on the first Mondays in March and June, and the second Monday in November, twenty-four juridical days each for the March and June terms and thirty days for the November term."

And in lieu thereof inserting the following:

"Ninth District.—Grayson county, at Leitchfield, on the first Monday in January, eighteen juridical days; on the first

Monday in April, eighteen juridical days; fourth Monday in August eighteen juridical days. Meade county, at Brandenburg, on the fourth Mondays in January and April and the third Monday in September, twelve juridical days each. Breckinridge county, at Hardinsburg, on the second Mondays in February and May and first Monday in October, eighteen juridical days each. Hardin county, at Elizabethtown, on the first Mondays in March and June and the fourth Monday in October, twenty-four juridical days each for the March and June terms and thirty days for the October term."

So that said portion, as amended, will read as follows:

"Ninth District.—Grayson county, at Leitchfield, on the first Monday in January, eighteen juridical days; on the first Monday in April, eighteen juridical days; fourth Monday in August, eighteen juridical days. Meade county, at Brandenburg, on the fourth Mondays in January and April and the third Monday in September, twelve juridical days each. Breckinridge county, at Hardinsburg, on the second Mondays in February and May and first Monday in October, eighteen juridical days each. Hardin county, at Elizabethtown, on the first Mondays in March and June and the fourth Monday in October, twenty-four juridical days each for March and June and thirty juridical days for the October term."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E. Gilbert	T. P. Oliver
Chas. Ashby	W. H. Hager	W. F. Paris
B. S. Bailey	A. L. Hamilton	Lilburn Phelps
L. D. Bauldauf	L. B. Hamilton	Luther Pieratt
J. H. Ballard	B. H. Harris	Ote Piper
Robert Bays	Joe Huddleston	Richard Radcliffe
W. T. Beckham	J. W. Johnson	H. C. Rice
B. C. Beckmann	Leslie P. Jones	Avery Sartin
H. V. Bell	W. H. Jones	Joe Schneider
R. J. Cain	Griffin Kelly	R. T. Smith
T. L. Caudel	W. T. Lasley	John W. Swope
Everett Cobb	S. D. Laughlin	Elmore Thomas
John Cook	Joseph Lazarus	J. B. Thomas
A. S. Cooper	M. E. Lee	Geo. F. Thompson
Fred Cornelius	J. E. Lilly	J. T. Thornton
W. P. Cropper	Harry J. Meyers	S. G. Thornberry
James S. Cruse	Claude D. Minor	J. Wood Vance
A. A. Demunbrun	John T. Murphy	F. C. VanHoose
H. Lawrence Dixon	Ryland C. Musick	G. F. Walthal
F. A. Easterling	A. J. McCandless	E. G. Young
I. H. Gabbard	W. P. McDonogh	
Lark Garnett	H. C. McGehee	

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Resolved, that the title thereof be as aforesaid.

Mr. Elmore Thomas moved that the rules be suspended and House Bill No. 118 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 118. An act providing that the platform of all street and interurban railway cars operated in Kentucky

must be completely enclosed between November 1st and March 1st of each year.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any company, firm, corporation, individual or person operating a street railway or interurban railway system in Kentucky, shall cause both the front and rear platforms of all cars operated between November first and March first of each year, to be completely enclosed with wood, metal or other suitable material and glass to protect motormen and conductors from rain, snow and cold.

§ 2. Any company, firm, corporation or person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined \$10.00 for each offense, and each day any car may be operated in violation of this act shall be deemed to constitute a separate offense.

The Committee on Interurban and City Railways offered the following amendment to said bill by way of substitute therefor, viz.:

An act providing that the platforms of all street railway cars operated in Kentucky must be so enclosed, between November 1st and March 1st of each year, as to protect motormen and conductors.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any company, firm, corporation, individual or person operating a street railway in Kentucky, shall cause both the front and rear platforms of all cars operated between November first and March first of each year to be so enclosed with wood, metal or other suitable material and glass so as to

protect motormen and conductors from rain, snow and cold weather.

§ 2. Any company, firm, corporation, individual or person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined ten dollars (\$10.00) for each offense, and each day that any car may be operated in violation of this act shall be deemed to constitute a separate offense.

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. C. Chappell	W. H. Hager
Chas. Ashby	Everett Cobb	A. L. Hamilton
B. S. Bailey	John Cook	L. B. Hamilton
L. D. Bauldauf	A. S. Cooper	E. C. Hardin
J. H. Ballard	Fred Cornelius	B. H. Harris
Robert Bays	W. P. Cropper	Joe Huddleston
W. T. Beckham	A. A. Demunbrun	A. R. Hudson
B. C. Beckmann	H. Lawrence Dixon	Chas. L. Hunter
Leroy Bonta	W. G. Dycus	Leslie P. Jones
W. P. Bowman	F. A. Easterling	W. H. Jones
J. L. Bradford	I. H. Gabbard	Griffin Kelly
O. V. Brown	Lark Garnett	W. F. Klair
R. J. Cain	M. E. Gilbert	H. A. Knollman

W. T. Lasley	W. B. O'Bannon	C. M. Thomas
S. D. Laughlin	A. J. Oliver	Elmore Thomas
Joseph Lazarus	T. P. Oliver	J. B. Thomas
M. E. Lee	W. F. Paris	Geo. F. Thompson
J. E. Lilly	Lilburn Phelps	J. T. Thornton
Harry J. Meyers	Luther Pieratt	S. G. Thornberry
Clarence Miller	Ote Piper	J. Wood Vance
Claude D. Minor	Richard Radcliffe	F. C. VanHoose
S. H. Moore	Lewis Ryans	G. C. Waggoner
John T. Murphy	Avery Sartin	G. F. Walthal
Ryland C. Musick	Joe Schneider	T. R. Welch
A. J. McCandless	R. T. Smith	W. N. Winn
W. P. McDonogh	Thomas Spurrier	E. G. Young
H. C. McGehee	Ben Street	
H. C. McLellen	John W. Swope	

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Resolved, that the title thereof be as amended.

The House then took up for consideration the special order set for this hour, namely, eleven o'clock a. m., a bill entitled:

S. B. 38. An act relating to cities of the fifth class, chapter 89, Kentucky Statutes, and providing for the publication of the ordinances thereof and the advertising of such matters as are required to be made by such cities, and fixing a rate to be charged therefor by newspapers.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

All ordinances and advertisements which are now or hereafter required by law to be published of cities of the fifth class, shall be published in some newspaper, published in such cities, and if there is more than one newspaper published

in any such city, the same shall be published in the one having the largest circulation which is published in said city. The rate to be charged and collected therefor by the newspaper publishing the same shall not exceed fifty cents per linear inch, single column, solid eight point measure, for each insertion.

All laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. A. Demunbrun	H. A. Knollman
Chas. Ashby	H. Lawrence Dixon	W. T. Lasley
B. S. Bailey	W. G. Dycus	S. D. Laughlin
J. H. Ballard	F. A. Easterling	Joseph Lazarus
W. T. Beckham	I. H. Gabbard	J. E. Lilly
B. C. Beckmann	Lark Garnett	Harry J. Meyers
H. V. Bell	M. E. Gilbert	Claude D. Minor
Leroy Bonta	W. H. Hager	S. H. Moore
W. P. Bowman	A. L. Hamilton	John T. Murphy
O. V. Brown	L. B. Hamilton	Ryland C. Musick
R. J. Cain	E. C. Hardin	A. J. McCandless
T. L. Caudel	B. H. Harris	W. P. McDonogh
H. C. Chappell	Joe Huddleston	H. C. McGehee
John Cook	A. R. Hudson	S. Lee McGohan
A. S. Cooper	Chas. L. Hunter	W. B. O'Bannon
Fred Cornelius	Leslie P. Jones	T. P. Oliver
W. P. Cropper	W. H. Jones	W. F. Paris
James S. Cruse	Griffin Kelly	Lilburn Phelps

Luther Pieratt	R. T. Smith	J. T. Thornton
Ote Piper	John W. Swope	J. Wood Vance
Richard Radcliffe	C. M. Thomas	G. C. Waggoner
H. C. Rice	Elmore Thomas	G. F. Walthal
Avery Sartin	J. B. Thomas	T. R. Welch
Joe Schneider	Geo. F. Thompson	W. N. Winn

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Those who voted in the negative were—

J. W. Johnson F. C. VanHoose

—2

Resolved, that the title thereof be as aforesaid.

Mr. Vance moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Cook moved that the rules be suspended and House Bill No. 148 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 148. An act to amend section 1 of chapter 2 of the Acts of the General Assembly at the extraordinary session of 1917 relating to revenue and taxation.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1 of chapter 2 of the General Assembly of 1917 be, and the same is, hereby amended by adding after the word "Constitution," in line six, the following:

“And provide for the collection at the same time and place of a poll tax of one (\$1.00) dollar upon each voter residing in said county,” so that said section, when amended, will read as follows:

Section 1. (Road Tax—Order Calling Election—Issual of Bonds).—The fiscal court of any county in the state may submit to the voters at a special election to be held for that purpose, the question of voting a tax of any sum not exceeding 20 cents on the hundred dollars on all property subject by law to local taxation, under section 157a of the Constitution, and provide for the collection at the same time and place of a poll tax of one (\$1.00) dollar upon each voter residing in said county, for the improvement or construction of the public roads and bridges of the county, either or both, as the fiscal court may direct. The order of the fiscal court calling the election shall specify the amount of the tax to be levied each year and the number of years for which the tax may be imposed, not exceeding ten years, and shall also provide that no amount of money in excess of the amount that can be raised by the levy in any one year shall be expended in that year. It may also borrow money in any year in advance of the collection of the tax for that year, not exceeding 80 per cent of the estimated tax, and issue bonds therefor, the amount of the tax to be estimated, according to the assessment and collection of the preceding year, but any money so borrowed shall be paid out of the money raised from the tax in the year in which the money is borrowed. So that all indebtedness created in any one year shall be paid out of the fund raised in that year.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	L. B. Hamilton	T. P. Oliver
J. H. Ballard	E. C. Hardin	W. F. Paris
W. T. Beckham	B. H. Harris	Lilburn Phelps
B. C. Beckmann	Joe Huddleston	Luther Pieratt
H. V. Bell	Chas. L. Hunter	Ote Piper
Leroy Bonta	J. W. Johnson	Richard Radcliffe
W. P. Bowman	Leslie P. Jones	H. C. Rice
J. L. Bradford	W. H. Jones	Avery Sartin
O. V. Brown	Griffin Kelly	Joe Schneider
R. J. Cain	H. A. Knollman	R. T. Smith
T. L. Caudel	W. T. Lasley	Thomas Spurrier
H. C. Chappell	Joseph Lazarus	John W. Swope
John Cook	J. E. Lilly	Claude M. Thomas
A. S. Cooper	Harry J. Meyers	Elmore Thomas
W. P. Cropper	Clarence Miller	J. B. Thomas
James S. Cruse	Claude D. Minor	Geo. F. Thompson
A. A. Demunbrun	John T. Murphy	J. T. Thornton
W. G. Dycus	Ryland C. Musick	F. C. VanHoose
F. A. Easterling	A. J. McCandless	G. C. Waggoner
I. H. Gabbard	W. P. McDonogh	G. F. Walthal
Lark Garnett	H. C. McGehee	W. N. Winn
W. H. Hager	S. Lee McGohan	
A. L. Hamilton	W. B. O'Bannon	

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There voted in the negative—

S. H. Moore

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Resolved, that the title thereof be as aforesaid.

Mr. Kelly moved that the rules be suspended and House Bill No. 32 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The house then took up for consideration from the orders of the day a bill entitled:

H. B. 32. An act to amend and re-enact sections 3374 and 3379 of Kentucky Statutes, Carroll's edition 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3374 of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby amended and re-enacted to read as follows:

"All real and personal estate within the city on the first day of September in the year in which the assessment shall be made, and of all corporations having their chief office or place of business in the city on said date, and the franchise of same, shall be subject to assessment and taxation for all local and municipal purposes, unless exempt from taxation by the Constitution, and the same shall be assessed at its fair cash value, estimated at the price it would bring at a fair voluntary sale. Any franchise granted, in whole or in part, by a city, and exercised within said city, may be taxed by said city, notwithstanding the corporation owning or exercising same may have its chief office or place of business elsewhere."

§ 2. That section 3379 of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby enacted and re-enacted to read as follows:

"All property shall be assessed and valued as of the first day of September of each year, and the assessor shall begin his work on that day, or as soon thereafter as practicable, and have the same completed by the first day of January following, and return the same to the common council."

Mr. Kelly offered the following amendment to said bill by way of substitute therefor, viz.:

An act to amend and re-enact sections 3374 and 3379 of Kentucky Statutes, Carroll's edition, 1915.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3374 of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby amended and re-enacted to read as follows:

"All real and personal estate within the city on the date fixed by the city council or commissioners in the year in which the assessment shall be made, and of all corporations having their chief office or place of business in the city on said date, and the franchise of same, shall be subject to assessment and taxation for all local and municipal purposes, unless exempt from taxation by the Constitution, and the same shall be assessed at its fair cash value, estimated at the price it would bring at a fair voluntary sale. Any franchise granted, in whole or in part, by a city and exercised within said city, may be taxed by said city, notwithstanding the corporation owning or exercising same may have its chief office or place of business elsewhere. The city council or commissioners shall provide by ordinance or proper order the date as of which property shall be assessed for city purposes.

§ 2. That section 3379 of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby enacted and re-enacted to read as follows:

"All property shall be assessed and valued as of the date fixed by the city council or commissioners of each year, and the assessor shall begin his work on that day, or as soon thereafter as practicable, and have the same completed by the first day of January following, and return the same to the common council."

§ 3. All laws and parts of laws in conflict with this act are hereby repealed.

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	H. Lawrence Dixon	Clarence Miller
B. S. Bailey	W. G. Dycus	Claude D. Minor
L. D. Baldauf	I. H. Gabbard	Ryland C. Musick
J. H. Ballard	Lark Garnett	A. J. McCandless
Robert Bays	W. H. Hager	W. P. McDonogh
W. T. Beckham	A. L. Hamilton	H. C. McGehee
B. C. Beckmann	L. B. Hamilton	S. Lee McGohan
H. V. Bell	E. C. Hardin	W. B. O'Bannon
Leroy Bonta	B. H. Harris	W. F. Paris
W. P. Bowman	Joe Huddleston	Lilburn Phelps
O. V. Brown	A. R. Hudson	Luther Pieratt
R. J. Cain	Chas. L. Hunter	Ote Piper
T. L. Caudel	J. W. Johnson	Richard Radcliffe
H. C. Chappell	Leslie P. Jones	H. C. Rice
Everett Cobb	W. H. Jones	Lewis Ryans
A. S. Cooper	Griffin Kelly	Avery Sartin
Fred Cornelius	W. F. Klair	Joe Schneider
W. P. Cropper	H. A. Knollman	R. T. Smith
James S. Cruse	J. E. Lilly	Thomas Spurrier
A. A. Demunbrun	Harry J. Meyers	Ben Street

John W. Swope	Geo. F. Thompson	G. C. Waggoner
C. M. Thomas	J. T. Thornton	G. F. Walthal
Elmore Thomas	J. Wood Vance	T. R. Welch
J. B. Thomas	F. C. VanHoose	E. G. Young

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Resolved, that the title thereof be as amended.

Mr. Chappell moved that the rules be suspended and House Bill No. 178 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 178. An act to amend an act, section 1309 of Kentucky Statutes, Carroll's 1915 edition, relating to carrying concealed deadly weapons.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 2. All judges, justices of the peace and police judges shall have penal jurisdiction for the first offense herein described, the penalties and fines for same to be enforced and collected as in other cases in their final jurisdiction, but it shall be the duty of each justice of the peace, police judge and county judge entering such penal judgment to forthwith transmit to the clerk of the circuit court of the county in which such judgment is rendered a copy thereof, whereupon such clerk shall place the case upon the criminal docket of the circuit court and upon call of the docket a judgment shall be entered by the circuit court adjudging that the operation

of the judgment is to disfranchise the defendant named therein, and deprive him of the right of suffrage for a period of two years from the date thereof.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	I. H. Gabbard	S. H. Moore
B. S. Bailey	Lark Garnett	John T. Murphy
J. H. Ballard	M. E. Gilbert	Ryland C. Musick
W. T. Beckham	W. H. Hager	A. J. McCandless
B. C. Beckmann	A. L. Hamilton	W. P. McDonogh
H. V. Bell	L. B. Hamilton	H. C. McGehee
Leroy Bonta	E. C. Hardin	S. Lee McGohan
W. P. Bowman	B. H. Harris	W. B. O'Bannon
J. L. Bradford	Joe Huddleston	W. F. Paris
O. V. Brown	A. R. Hudson	Lilburn Phelps
R. J. Cain	Chas. L. Hunter	Luther Pieratt
T. L. Caudel	J. W. Johnson	Ote Piper
John Cook	W. H. Jones	Richard Radcliffe
A. S. Cooper	Griffin Kelly	H. C. Rice
Fred Cornelius	W. F. Klair	Lewis Ryans
W. P. Cropper	H. A. Knollman	Avery Sartin
James S. Cruse	S. D. Laughlin	Joe Schneider
A. A. Demunbrun	M. E. Lee	R. T. Smith
H. Lawrence Dixon	J. E. Lilly	Thomas Spurrier
W. G. Dycus	Harry J. Meyers	Ben Street
F. A. Easterling	Clarence Miller	John W. Swope
J. M. Elliston	Claude D. Minor	C. M. Thomas

Elmore Thomas	J. Wood Vance	T. R. Welch
J. B. Thomas	F. C. VanHoose	W. N. Winn
Geo. F. Thompson	G. C. Waggoner	E. G. Young
J. T. Thornton	G. F. Walthal	

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Resolved, that the title thereof be as aforesaid.

The House then took up for consideration the special order set for this hour, namely, a bill entitled:

H. B. 97. An act for the benefit of the Kentucky School for the Blind; to provide an increase in the annual appropriation for the white department and for the colored department and to make an annual appropriation for the education and vocational training of the adult blind of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 309a of Carroll's Statutes for 1915, which reads as follows:

"That the annual appropriation to the Kentucky School for the blind be, and the same is, hereby increased from \$15,000.00 to \$20,000.00 annually."

That said section be amended so as to read as follows:

"That the annual appropriation to the Kentucky School for the Blind be, and the same is, hereby increased from \$20,000.00 to \$30,000.00 annually."

§ 2. That section 310 of Carroll's Statutes for 1915, which reads as follows:

"That the further sum of three thousand dollars be, and the same is, hereby appropriated, to be paid annually for

the sole and exclusive use of the colored blind children of this Commonwealth.”

That said section be amended so as to read as follows:

“That the further sum of five thousand dollars be, and the same is, hereby appropriated, to be paid annually for the sole and exclusive use of the colored blind children of this Commonwealth.”

§ 3. That as the state makes no provision for the education and training of blind adults, and as such persons with the proper vocational training may become self-supporting citizens instead of dependents and as the maintenance of such training would be a great moral and economic benefit to the community, the sum of \$15,000.00 be annually appropriated for the education and vocational training of the adult blind of Kentucky, the said training and employment of the said blind persons to be under the direction and control of the Kentucky School for the Blind, but separate and apart from any school or training for the blind children.

§ 4. As the school for the blind is in need of the amounts herein appropriated for the training and support of the blind children and as there is a great need for aid to assist the adult blind of the State, to enable them to become self-supporting, that an emergency is hereby declared to exist and this act shall take effect from and after its passage.

The Committee on Appropriations offered the following amendments to said bill, viz.:

Amendments proposed by Committee on Appropriations to House Bill No. 97:

That section one, proposing an amendment to section 309-A, Carroll's Statutes of 1915, be amended by striking out the figures “thirty thousand,” in line three of the original bill and substituting in lieu thereof the figures “twenty

eight thousand dollars," so that as amended said section shall read: That the annual appropriation to the Kentucky School for the Blind be, and the same is, hereby increased from twenty thousand dollars to twenty-eight thousand dollars annually.

That section two of said bill be amended by striking from line eight of the original bill the words "five thousand dollars" and substituting in lieu thereof the words "four thousand dollars," so that said section, as amended, shall read that the further sum of four thousand dollars be, and the same is, hereby appropriated to be paid annually for the sole and exclusive use of the Colored Blind Children of this Commonwealth.

That section three of said bill be amended by striking from line six the figures "fifteen thousand dollars" and substituting in lieu thereof the figures "fourteen thousand dollars," so that said section, as amended, shall read: That as the state makes no provision for the education and training of blind adults, and as such persons, with proper vocational training, may become self-supporting citizens instead of dependents, and as the maintenance of such training will be a great moral and economic benefit to the community, the sum of fourteen thousand dollars be annually appropriated for the education and vocational training of the adult blind of Kentucky, the said training and employment of the said blind persons to be under the direction and control of the Kentucky School for the Blind, but separate and apart from any school or training for the blind children.

Said amendments offered by the Committee on Appropriations were adopted.

Mr. Klair moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	F. A. Easterling	Harry J. Meyers
B. S. Bailey	J. M. Elliston	Clarence Miller
L. D. Baldauf	I. H. Gabbard	Claude D. Minor
J. H. Ballard	Lark Garnett	S. H. Moore
Robert Bays	W. H. Hager	John T. Murphy
W. T. Beckham	A. L. Hamilton	A. J. McCandless
B. C. Beckmann	L. B. Hamilton	W. P. McDonogh
H. V. Bell	E. C. Hardin	H. C. McGehee
Leroy Bonta	B. H. Harris	L. S. McGohan
J. L. Bradford	Joe Huddleston	H. C. McLellen
R. J. Cain	A. R. Hudson	W. B. O'Bannon
T. L. Candel	Chas. L. Hunter	A. J. Oliver
H. C. Chappell	J. W. Johnson	T. P. Oliver
Everett Cobb	Leslie P. Jones	W. F. Paris
John Cook	W. H. Jones	Lilburn Phelps
A. S. Cooper	Griffin Kelly	Luther Pieratt
Fred Cornelius	W. F. Klair	Ote Piper
W. P. Cropper	H. A. Knollman	Richard Radcliffe
J. C. Davis	W. T. Lasley	H. C. Rice
A. A. Demunbrun	S. D. Laughlin	Lewis Ryans
Harry Dill	Joseph Lazarus	Avery Sartin
H. Lawrence Dixon	M. E. Lee	Joe Schneider
W. G. Dycus	J. E. Lilly	R. T. Smith

Thomas Spurrier	G. F. Thompson	G. F. Walthal
Ben Street	J. T. Thornton	T. R. Welch
John W. Swope	S. G. Thornberry	W. N. Winn
C. M. Thomas	J. Wood Vance	E. G. Young
Elmore Thomas	F. C. VanHoose	
J. B. Thomas	G. C. Waggoner	

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There voted in the negative—

M. E. Gilbert

—1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration the special order set for this hour, namely, a bill entitled:

H. B. 194. An act to provide for the teaching of elementary agriculture in the common schools of Kentucky, except in cities of the first, second, third and fourth classes, and to require teachers to be examined on said subject.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. After July 1, 1919, the subject of Elementary Agriculture shall be taught in the common schools of this state, except in cities of the first, second, third and fourth classes.

§ 2. After July 1, 1919, no person shall be authorized to teach in the common schools of this state, except in the cities aforesaid, unless he shall have first passed an examina-

tion prepared by the State Board of Examiners on the subject of Elementary Agriculture, and the law in regard to examination of teachers on other subjects in the common school course, shall apply to the subject of Elementary Agriculture.

§ 3. After July 1, 1919, the State Board of Education, teachers and all school officers shall enforce the teaching of the subject of Elementary Agriculture in the same manner that the teaching of other branches of the curriculum is or may be enforced.

§ 4. Any person holding a certificate to teach need not be examined on any other branch than Elementary Agriculture, until the expiration of the certificate held by him.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Fred Cornelius	E. C. Hardin
L. D. Baldauf	J. C. Davis	B. H. Harris
J. H. Ballard	A. A. Demunbrun	J. W. Johnson
Robert Bays	Harry Dill	Leslie P. Jones
B. C. Beckmann	H. Lawrence Dixon	W. H. Jones
Leroy Bonta	W. G. Dycus	Griffin Kelly
J. L. Bradford	I. H. Gabbard	W. F. Klair
O. V. Brown	Lark Garnett	S. D. Laughlin
R. J. Cain	M. E. Gilbert	M. E. Lee
T. L. Caudel	A. L. Hamilton	Harry J. Meyers
A. S. Cooper	L. B. Hamilton	Clarence Miller

Claude D. Minor	W. F. Paris	C. M. Thomas
S. H. Moore	Lilburn Phelps	Elmore Thomas
Ryland C. Musick	Luther Pieratt	J. B. Thomas
A. J. McCandless	Richard Radcliffe	G. F. Thompson
W. P. McDonogh	Lewis Ryans	J. T. Thornton
H. C. McGehee	Avery Sartin	F. C. VanHoose
W. B. O'Bannon	Joe Schneider	G. C. Waggoner
A. J. Oliver	R. T. Smith	W. N. Winn
T. P. Oliver	John W. Swope	E. G. Young

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Those who voted in the negative were—

Everett Cobb	J. M. Elliston	H. C. Rice
W. P. Cropper	W. H. Hager	S. G. Thornberry

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Resolved, that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Phelps called up from the Clerk's desk House Resolution No. 22 and moved that said resolution be printed.

Said motion was agreed to.

Mr. Rice moved that the rules be suspended and House Bill No. 281 be placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 281. An act to amend sections 2800a and 3813 (19), Kentucky Statutes, Carroll's edition, 1915; said section

3800a relating to assistant deputy wardens of the penitentiaries of the Commonwealth of Kentucky and said section 3813 (19) relating to salaries of officers and guards of said penitentiaries.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) That section 3800a of Kentucky Statutes, Carroll's edition, 1915, be amended and re-enacted so that when amended and re-enacted shall read as follows:

"That the board of penitentiary commissioners, if at any time they deem it necessary to the better management of the penitentiaries of this Commonwealth, may appoint, for each penitentiary, two assistant deputy wardens, each of whom shall receive for his services one hundred and twenty-five dollars per month, and said assistant deputy wardens shall hold office for a term of four years, provided they are not sooner removed by the board of penitentiary commissioners. Before entering upon the discharge of their duties they shall take an oath to faithfully discharge the duties imposed upon them by law, and shall give bond to the Commonwealth of Kentucky in the sum of twenty-five thousand dollars, with such sureties, not contractors in said penitentiaries, as said commissioners may approve, which bond shall be conditioned for the faithful discharge of their duties as assistant deputy wardens, and said bond shall be deposited for safe keeping with the Auditor of Public Accounts.

The board of penitentiary commissioners, in adopting rules for the proper and economical management of the penitentiaries, are authorized and shall assign to each of said assistant deputy wardens his duties to perform."

(2) That section 3813 (19) of the Kentucky Statutes, Carroll's edition, 1915, be amended and re-enacted, so that when amended and re-enacted shall read as follows:

“The salaries of the wardens, deputy wardens, physicians, chaplains and the wages of the guards shall be paid monthly out of the state treasury, and the Auditor of Public Accounts shall draw his warrant upon the treasury therefor, in favor of each of said officials, upon the written order of the chairman of the commissioners, and they shall respectively receive the following salaries, to-wit: The warden, two thousand dollars per annum; the deputy warden, one thousand five hundred dollars per annum; the physician, one thousand five hundred dollars per annum; the clerk, one thousand five hundred dollars per annum; the chaplain, one thousand five hundred dollars per annum; the guards or assistants for each penitentiary one hundred dollars per month. No official connected with the penitentiaries shall be directly or indirectly connected or concerned with any contract for furnishing the warden or any contractor any materials for manufacture or use in the penitentiary, or any supplies or produce to be used in the penitentiary, or by the convicts in any way whatever; and they shall not be interested, in a financial way, with any business carried on by convict labor. For a violation of the provisions of this section the official so violating shall be for each offense fined one thousand dollars.”

(3) All laws or parts of laws in conflict herewith are hereby repealed. An emergency is hereby declared to exist and it is hereby ordained that this act shall take effect from and after its approval by the governor.

Mr. A. J. Oliver moved that the session be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Consttution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	Luther Pieratt
L. D. Baldauf	E. C. Hardin	H. C. Rice
B. S. Bailey	B. H. Harris	Lewis Ryans
J. H. Ballard	Chas. L. Hunter	Joe Schneider
Robert Bays	J. W. Johnson	Thomas Spurrier
B. C. Beckmann	W. H. Jones	Ben Street
W. P. Bowman	W. F. Klair	C. M. Thomas
J. L. Bradford	H. A. Knollman	Elmore Thomas
O. V. Brown	J. E. Lilly	J. B. Thomas
R. J. Cain	Harry J. Meyers	G. F. Thompson
T. L. Caudel	Clarence Miller	J. T. Thornton
H. C. Chappell	S. H. Moore	S. G. Thornberry
Everett Cobb	Ryland C. Musick	J. Wood Vance
A. S. Cooper	W. P. McDonogh	F. C. VanHoose
James S. Cruse	H. C. McGehee	G. C. Waggoner
J. C. Davis	S. Lee McGohan	T. R. Welch
A. A. Demunbrun	H. C. McLellen	W. N. Winn
H. Lawrence Dixon	A. J. Oliver	E. G. Young
F. A. Easterling	T. P. Oliver	
I. H. Gabbard	W. F. Paris	

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Those who voted in the negative were—

John Cook	A. R. Hudson	A. J. McCandless
W. G. Dycus	W. T. Lasley	W. B. O'Bannon
Lark Garnett	S. D. Laughlin	Ote Piper
M. E. Gilbert	Joseph Lazarus	Richard Radcliffe
L. B. Hamilton	Claude D. Minor	Avery Sartin
Joe Huddleston	John T. Murphy	R. T. Smith

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Resolved, that the title thereof be as aforesaid.

Mr. Rice moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 242. An act to provide certain state educational institutions with the Kentucky Statutes and Session Acts of the General Assembly.

To the Committee on Printing.

S. B. 308. An act to amend section 4706, Carroll's Kentucky Statutes of 1915, entitled investment of funds by fiduciary.

To the Committee on Kentucky Statutes.

S. B. 142. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested; providing inspectors and challengers in such election; providing penalties and defining crimes in connection with such election.

To the Committee on Suffrage and Elections.

And then the House, at twelve fifteen p. m., recessed until two o'clock p. m. today.

AFTERNOON SESSION.

A roll call to ascertain the presence of a quorum, resulted as follows, viz.:

Ed. L. Allen	W. H. Hager	H. C. McLellen
Chas. Ashby	A. L. Hamilton	W. B. O'Bannon
B. S. Bailey	L. B. Hamilton	A. J. Oliver
L. D. Baldauf	E. C. Hardin	T. P. Oliver
J. H. Ballard	B. H. Harris	W. F. Paris
W. T. Beckham	Joe Huddleston	Lilburn Phelps
B. C. Beckmann	A. R. Hudson	Luther Pieratt
H. V. Bell	Chas. L. Hunter	Ote Piper
Leroy Bonta	J. W. Johnson	Lewis Ryans
W. P. Bowman	Leslie P. Jones	Avery Sartin
O. V. Brown	W. H. Jones	Joe Schneider
R. J. Cain	W. F. Klair	R. T. Smith
T. L. Caudel	H. A. Knollman	John W. Swope
John Cook	Joseph Lazarus	Elmore Thomas
A. S. Cooper	M. E. Lee	J. B. Thomas
Fred Cornelius	J. E. Lilly	G. F. Thompson
W. P. Cropper	Clarence Miller	J. T. Thornton
J. C. Davis	Claude D. Minor	S. G. Thornberry
A. A. Demunbrun	S. H. Moore	F. C. VanHoose
H. L. Dixon	John T. Murphy	G. C. Waggoner
W. G. Dycus	Ryland C. Musick	G. F. Walthal
F. A. Easterling	A. J. McCandless	T. R. Welch
I. H. Gabbard	W. P. McDonogh	E. G. Young
Lark Garnett	H. C. McGehee	
M. E. Gilbert	S. Lee McGohan	

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A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 259. An act relating to public health, repealing, amending and re-enacting sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating

to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station, and for other purposes creating county and district departments of health and providing and limiting the appropriations of the State Board of Health and further defining its powers and duties.

To the Committee on Appropriations.

The House then took up for consideration the special order set for this hour, namely, two o'clock p. m., a bill entitled:

H. B. 393. An act to repeal section 4758 of the Kentucky Statutes, and enact in lieu thereof an act to define vagrants and vagrancy and provide punishment therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The following persons shall be deemed to be vagrants, to-wit; (1) Any able-bodied person, male or female, who has no visible means of support and who habitually fails to or refuses to work; (2) Any person, male or female, not able-bodied, but who is able to perform special kinds of labor and refuses or fails to perform same when offered and who has no trade or visible means of support; (3) Any able-bodied person, male or female, having no visible means of support who habitually loiters on the streets or other public places.

§ 2. Any person found guilty of the offenses of vagrancy shall be fined not less than \$5.00 nor more than \$50.00, or imprisonment in the workhouse or jail for not

less than five days nor more than fifty days, either or both, in the discretion of the judge or jury trying the case. Anyone fined or sentenced to jail, when not suspended, shall work out said fine and jail sentence at hard labor whether male or female, at the rate of \$1.00 per day until fine and costs are satisfied and until the jail sentence is satisfied; provided, that the court instead of imposing the punishment as hereinbefore provided shall have the power to enter an order suspending sentence and releasing the prisoner from custody on probation upon the prisoner entering into a recognizance, with or without sureties, in such sum as the court may direct, the conditions of which recognizance shall be that the defendant shall obtain employment within some length of time to be fixed by the court not exceeding five days, and that he shall work at least twenty days out of each month for at least one year, and that he will report to the court at least once each month, or oftener if the court deems it advisable, and shall state under oath, for whom and for what length of time, he has been working, or any other facts the court may require. If said conditions of the recognizance shall be fulfilled for a term of one year then same shall be void and the judgment of the court sentencing the defendant shall be void. If, at any time within such year, the court shall be satisfied by information or proof, under oath, that the defendant has violated the conditions of said recognizance, it shall forthwith revoke and set aside such order suspending the sentence and sentence the defendant under the original conviction.

§ 3. Circuit courts, police courts, quarterly courts, and justices of the peace shall have jurisdiction of the offense of vagrancy and for the purpose of trying persons charged with vagrancy, police courts, quarterly courts and justices' courts shall be deemed to be always open.

§ 4. It shall be the duty of all sheriffs, constables, marshals and policemen to keep a watch for vagrants at these places where they are accustomed to congregate and if any

of these officers have reason to believe a vagrant habitually infests a public place or street, it shall be the duty of said officer to warn him to leave such place and go to work. If two or more vagrants habitually loiter about any street or public place it shall be the duty of such officers to disperse them, using no more force than is reasonably necessary for that purpose.

§ 5. Section 4758, Kentucky Statutes, which is chapter 132, is hereby repealed and all acts and parts of acts inconsistent with this act are repealed.

Mr. Claude M. Thomas offered the following amendment to said bill, viz.:

Amendment to H. B. 393:

Strike out section 1 and insert in lieu thereof the following:

Section 1. The following persons shall be deemed to be vagrants, to-wit:

(1) Any able-bodied male person who habitually loiters or rambles about without means to support himself, and who has no trade, calling or profession to make an honest livelihood.

(2) Any able-bodied male person who is without visible means of support, and who habitually fails or refuses to engage in honest labor for his own support, or for the support of his family, if he has one.

(3) Any able-bodied male person who purposely deserts his wife or children, leaving them, or any of them, without suitable subsistence or suitable means of subsistence, and himself being idle and dissolute.

(4) Any able-bodied person, male or female, who has no visible means of support, and who habitually refuses to

work, and who habitually loiters on the streets or public places of any village, town or city.

Said amendment was agreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	James S. Cruse	W. F. Klair
Chas. Ashby	J. C. Davis	H. A. Knollmann
B. S. Bailey	A. A. Demunbrun	S. D. Laughlin
L. D. Baldauf	Harry Dill	Joseph Lazarus
J. H. Ballard	H. L. Dixon	M. E. Lee
Robert Bays	W. G. Dycus	J. E. Lilly
W. T. Beckham	F. A. Easterling	Harry J. Meyers
B. C. Beckmann	I. H. Gabbard	Clarence Miller
H. V. Bell	Lark Garnett	Claude D. Minor
Leroy Bonta	M. E. Gilbert	S. H. Moore
W. P. Bowman	W. H. Hager	John T. Murphy
J. L. Bradford	A. L. Hamilton	Ryland C. Musick
C. V. Brown	L. B. Hamilton	A. J. McCandless
R. J. Cain	E. C. Hardin	W. P. McDonogh
T. L. Caudel	B. H. Harris	H. C. McGehee
H. C. Chappell	A. R. Hudson	S. Lee McGohan
Everett Cobb	Chas. L. Hunter	H. C. McLellen
John Cook	J. W. Johnson	W. B. O'Bannon
A. S. Cooper	Leslie P. Jones	A. J. Oliver
Fred Cornelius	W. H. Jones	T. P. Oliver
W. P. Cropper	Griffin Kelly	W. F. Paris

Lilburn Phelps	R. T. Smith	S. G. Thornberry
Luther Pieratt	John W. Swope	F. C. VanHoose
Richard Radcliffe	C. M. Thomas	G. C. Waggoner
H. C. Rice	Elmore Thomas	G. F. Walthal
Lewis Ryans	J. B. Thomas	T. R. Welch
Avery Sartin	Geo. F. Thompson	W. N. Winn
Joe Schneider	J. T. Thornton	E. G. Young

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Resolved, that the title thereof be as aforesaid.

A message was received from the Senate announcing that they had adopted a resolution of the following title, viz.:

S. Res. 21. Resolution inviting Antaloe LeBraz, poet of Brittany, French author and scholar, to address the General Assembly on Tuesday, March 12th, at 3 p. m.

Said resolution reads as follows, viz.:

Whereas, it has been represented to the General Assembly that Antaloe LeBraz, the poet of Brittany, distinguished French author and scholar, now in this country, would be willing to address the General Assembly of this Commonwealth, and,

Whereas, an address by this distinguished citizen of France would tend to cement still more strongly the historic friendship which unites the two great republics of the world, now, therefore,

Be it resolved by the Senate and House of Representatives of the General Assembly of the Commonwealth of Kentucky, That Antaloe LeBraz be invited to address a joint meeting of said General Assembly on Tuesday, March 12, at 3 p. m.

Mr. Murphy moved that the rules be suspended and said resolution be adopted.

Said motion was agreed to.

The House took up for consideration the special order set for this hour, namely, a bill entitled:

H. B. 136. An act to amend chapter 22b, section 415b, subsections 6 and 15 of Carroll's Kentucky Statutes, 1915 edition, entitled an act to repeal and re-enact an act entitled an act granting pensions to indigent and disabled Confederate soldiers, which became a law March 18, 1914.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 6 of chapter 22B, section 415B, be amended by striking out the word "ten" in line ten in said subsection and inserting in lieu thereof the word "twelve;" and by striking out the word "six" in said subsection in line twenty-six, and inserting in leu thereof the word "twelve," so that said section as amended will read:

§ 1. That any indigent or disabled person who has been an actual *bona fide* resident of this state continuously since January 1, 1917, and who did actual military service in the Confederate army from the day of his enlistment until the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military or naval service of the Confederate States of America in the war of 1861-5, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death shall be paid out of the State Treasury the sum of twelve (\$12.00) dollars per month upon the proof of the fact according to forms and regulations prescribed by this act and conditions prescribed therein; provided, that any officer or private soldier or sailor who was prevented from so serving

until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged; and provided further, that any officer or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this act unless he be reenlisted or return to the service in the Confederate army and serve until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service. Any soldier who was compelled at any time during the last twelve months of the war to take the oath of allegiance to the United States Government, by sickness, or starvation, while in prison, or by duress while out of prison to save his life, as he verily believed at the time he took such oath, such soldier shall not be adjudged a deserter, but he shall have the same rights to a pension as if he had been honorably discharged, or as if he had taken such oath of allegiance at the close of the war.

That subsection 15 of section 415B of chapter 22B of said Carroll's Statutes be amended by striking out the word "ten," in line three, and by inserting in lieu thereof the word "twelve," so that said subsection as amended will read:

When a pension shall have been allowed the commission shall issue to the applicant a pension certificate, showing that he, or she, is entitled to a pension at the rate of twelve (\$12.00) dollars per month, from the day of filing the application in said commissioner's office. Payments shall be made on said certificate quarterly each year; on the 15th day of February, May, August and November, upon the proper execution of a voucher of the pensioner before an officer authorized to administer oaths and having a seal. Voucher shall

be furnished to the pensioner by the commissioner and returned to him after being properly executed. The commissioner shall then prepare the pension roll for the quarterly payment, with the postoffice address and the amount due each pensioner, and file the same together with the vouchers with the Auditor. The Auditor shall then issue his warrants upon the Treasurer for the respective sums and the Treasurer shall forward a treasury check to the address of each pensioner. In the event there is not sufficient funds in the hands of the Treasurer to justify the issuing of the pension check thus provided for, the Auditor's warrants shall be stamped interest-bearing by the Treasurer, at the rate of 5 % and mailed to the pensioner.

All laws or acts in conflict herewith are hereby repealed.

The Committee on Confederate Home offered the following amendment to said bill, viz.:

Amend said bill by striking out the figures "1890" where they occur after the words and figure. "prior to January 1st," in section 1, line 8, and inserting in lieu thereof the figures "1900," so that that part of the section will read: "Prior to January 1, 1900."

That the word "twelve," in line ten, and the figures "\$12.00" in line eleven, section 1, be stricken out and the word and figures "fifteen (\$15.00)" be inserted in lieu thereof and by striking out the words and figures "twelve (\$12.00)" where they appear in line three, section two, and inserting in lieu thereof the words and figures "fifteen (\$15.00)."

Mr. Oliver offered the following amendment to the amendment proposed by said committee:

Amend by striking out of section two, in the amendment, the word fifteen and inserting in lieu thereof the word fourteen.

Said amendment to the amendment was disagreed to.

Said amendment offered by the Committee on Confederate Home was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. G. Dycus	Joseph Lazarus
Chas. Ashby	F. A. Easterling	M. E. Lee
B. S. Bailey	J. M. Elliston	J. E. Lilly
L. D. Baldauf	L. L. Embry	Harry J. Meyers
J. H. Ballard	I. H. Gabbard	Clarence Miller
W. T. Beckham	Lark Garnett	Claude D. Minor
B. C. Beckmann	M. F. Gilbert	S. H. Moore
H. V. Bell	W. H. Hager	John T. Murphy
Leroy Bonta	A. L. Hamilton	Ryland C. Musick
W. P. Bowman	L. B. Hamilton	W. P. McDonogh
J. L. Bradford	E. C. Hardin	H. C. McGehee
O. V. Brown	B. H. Harris	S. Lee McGohan
T. L. Caudel	Chas. L. Hunter	W. B. O'Bannon
H. C. Chappell	J. W. Johnson	A. J. Oliver
Everett Cobb	Leslie P. Jones	T. P. Oliver
A. S. Cooper	W. H. Jones	W. F. Paris
Fred Cornelius	Griffin Kelly	Lilburn Phelps
W. P. Cropper	W. F. Klair	Luther Pieratt
A. A. Demunbrun	H. A. Knollman	Ote Piper
Harry Dill	W. T. Lasley	Richard Radcliffe
H. Lawrence Dixon	S. D. Laughlin	H. C. Rice

Lewis Ryans	Elmore Thomas	G. C. Waggoner
Joe Schneider	J. B. Thomas	G. F. Walthal
R. T. Smith	G. F. Thompson	T. R. Welch
Ben Street	J. T. Thornton	W. N. Winn
John W. Swope	S. G. Thornberry	E. G. Young
C. M. Thomas	F. C. VanHoose	

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There voted in the negative—

A. J. McCandless

—1

Resolved, that the title thereof be as aforesaid.

Mr. Thornton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 43. An act changing the time for holding the sessions of circuit court in the Ninth Circuit Court District of Kentucky.

Mr. Lee moved that House Bill No. 43 be recommitted to the Committee on Circuit Courts.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 92. An act to amend section 965, Kentucky Statutes, relating to circuit courts in the Twelfth Judicial District of Kentucky.

Mr. Bell moved that House Bill No. 92 be recommitted to the Committee on Circuit Courts and that Senate Bill No. 11 be substituted therefor and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day Senate Bill No. 11.

S. B. 11. An act to amend section 965, Kentucky Statutes, relating to Circuit Courts in the Twelfth Judicial District.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 965 of the Kentucky Statutes, in so far as it relates to the Twelfth Circuit Court District, be, and the same is, hereby amended by striking out the whole or the following portion of said section 965, which portion so stricken out was an amendment of said section 965 by act of the General Assembly, session 1910, page 199.

The portion so stricken out is in words and figures as follows, to-wit:

“Twelfth District.—Trimble county, at Bedford, on the first Monday in January, six juridical days; Henry county, at New Castle, second Monday in January, twelve juridical days; Shelby county, at Shelbyville, fourth Monday in January, eighteen juridical days; Oldham county, at LaGrange, third Monday in February, twelve juridical days; Anderson county, at Lawrenceburg, first Monday in March, twelve juridical days; Spencer county, at Taylorsville, third Monday in March, twelve juridical days; Trimble county, at Bed-

ford, first Monday in April, twelve juridical days; Henry county, at New Castle, third Monday in April, twelve juridical days; Shelby county, at Shelbyville, first Monday in May, eighteen juridical days; Oldham county, at LaGrange, fourth Monday in May, twelve juridical days; Spencer county, at Taylorsville, second Monday in June, six juridical days; Anderson county, at Lawrenceburg, third Monday in June, twelve juridical days; Trimble county, at Bedford, first Monday in September, six juridical days; Henry county, at New Castle, second Monday in September, twelve juridical days; Shelby county, at Shelbyville, fourth Monday in September, eighteen juridical days; Oldham county, at LaGrange, third Monday in October, six juridical days; Spencer county, at Taylorsville, fourth Monday in October, twelve juridical days; Anderson county, at Lawrenceburg, second Monday in November, twelve juridical days.”

And by inserting in lieu thereof, the following:

“Twelfth District—Trimble county, at Bedford, on the first Monday in January, six juridical days; first Monday in April, twelve juridical days; first Monday in September, six juridical days; Henry county at New Castle, second Monday in January, twelve juridical days; third Monday in April, twelve juridical days; second Monday in September, twelve juridical days; Shelby county, at Shelbyville, fourth Monday in January, eighteen juridical days; first Monday in May, eighteen juridical days; fourth Monday in September, eighteen juridical days; Oldham county, at LaGrange, third Monday in February, twelve juridical days; fourth Monday in May, twelve juridical days; fourth Monday in October, six juridical days; Spencer county, at Taylorsville, third Monday in March, twelve juridical days; second Monday in June, six juridical days; first Monday in November, twelve juridical days; Anderson county, at Lawrenceburg, first Monday in March, twelve juridical days; third Monday in

June, twelve juridical days; third Monday in November, twelve juridical days."

So that said portion of said section, as amended, will read as follows:

"Twelfth District.—Trimble county, at Bedford, on the first Monday in January, six juridical days; the first Monday in April, twelve juridical days; the first Monday in September, six juridical days; Henry county, at New Castle, second Monday in January, twelve juridical days; third Monday in April, twelve juridical days; second Monday in September, twelve juridical days; Shelby county, at Shelbyville, fourth Monday in January, eighteen juridical days; first Monday in May, eighteen juridical days; fourth Monday in September, eighteen juridical days; Oldham county, at LaGrange, third Monday in February, twelve juridical days; fourth Monday in February, twelve juridical days; fourth Monday in May, twelve juridical days; fourth Monday in October, six juridical days; Spencer county, at Taylorsville, third Monday in March, twelve juridical days; second Monday in June, six juridical days; first Monday in November, twelve juridical days; Anderson county, at Lawrenceburg, first Monday in March, twelve juridical days; third Monday in June, twelve juridical days; third Monday in November, twelve juridical days."

Ordered, that said bill be read the third time.

The constitutional provision as to third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Hamilton	W. B. O'Bannon
B. S. Bailey	L. B. Hamilton	W. F. Paris
L. D. Baldauf	E. C. Hardin	Lilburn Phelps
J. H. Ballard	B. H. Harris	Luther Pieratt
W. T. Beckham	Joe Huddleston	Ote Piper
B. C. Beckmann	A. R. Hudson	Richard Radcliffe
H. V. Bell	Chas. L. Hunter	H. C. Rice
Leroy Bonta	J. W. Johnson	Lewis Ryans
W. P. Bowman	W. H. Jones	Avery Sartin
O. V. Brown	Griffin Kelly	Joe Schneider
R. J. Cain	W. F. Klair	R. T. Smith
T. L. Caudel	H. A. Knollman	Ben Street
Everett Cobb	S. D. Laughlin	John W. Swope
Fred Cornelius	M. E. Lee	Elmore Thomas
W. P. Cropper	J. E. Lilly	J. B. Thomas
A. A. Demunbrun	Harry J. Meyers	G. F. Thompson
H. L. Dixon	Claude D. Minor	J. T. Thornton
W. G. Dycus	S. H. Moore	S. G. Thornberry
J. M. Elliston	John T. Murphy	F. C. VanHoose
L. L. Embry	A. J. McCandless	G. F. Walthal
I. H. Gabbard	W. P. McDonogh	T. R. Welch
Lark Garnett	H. C. McGehee	W. N. Winn
M. E. Gilbert	S. Lee McGohan	E. G. Young
W. H. Hager	H. C. McLellen	

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Resolved, that the title thereof be as aforesaid.

The House took up for consideration the special order set for this hour, namely, three o'clock p. m., a bill entitled:

H. B. 134. An act to amend section 2755, Kentucky Statutes, Carroll's edition 1915, concerning the subject of weights and measures of the cities of the first class.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2755 of the Kentucky Statutes, Carroll's edition of 1915, concerning the subject of weights and measures in cities of the first class and authorizing provisions for penalties, being part of an act entitled, "An act for the government of cities of the first class," approved July 1, 1893, be, and the same is, hereby amended by striking out the words:

"The general council shall, by ordinance, provide suitable penalties for the punishment of persons who knowingly use defective or imperfect weights or measures, and may provide for an inspector or inspectors of weights and measures."

And substituting therefor the following:

"The general council shall, by ordinance, provide suitable penalties for the punishment of persons who use or have in their possession defective or imperfect weights or measures, or who furnish the buyer a false or defective weight, measure or quantity of any commodity, and may provide for an inspector or inspectors of weights and measures.

So that said section, as amended, shall read as follows:

"Section 2755. The general council shall, by ordinance, provide suitable penalties for the punishment of persons who use or have in their possession defective or improper weights or measures, or who furnish the buyer a false or defective weight, measure or quantity of any commodity, and may provide for an inspector or inspectors of weights and measures. He shall have exclusive power to inspect weights and measures in the city, and he shall be paid a salary by the

city. No fees shall be charged or received for such services. Nothing in this section shall be construed so as to interfere with the term of office or fees of the present sealer of weights and measures for Jefferson county."

§ 2. This act shall take effect from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	I. H. Gabbard	J. E. Lilly
B. S. Bailey	Lark Garnett	Harry J. Meyers
J. H. Ballard	M. E. Gilbert	Clarence Miller
B. C. Beckmann	W. H. Hager	John T. Murphy
H. V. Bell	L. B. Hamilton	Ryland C. Musick
Leroy Bonta	E. C. Hardin	A. J. McCandless
W. P. Bowman	B. H. Harris	W. P. McDonogh
J. L. Bradford	Joe Huddleston	H. C. McGehee
C. V. Brown	A. R. Hudson	H. C. McLellen
R. J. Cain	J. W. Johnson	W. B. O'Bannon
T. L. Caudel	Leslie P. Jones	A. J. Oliver
Everett Cobb	W. H. Jones	W. F. Paris
John Cook	Griffin Kelly	Lilburn Phelps
A. S. Cooper	W. F. Klair	Luther Pieratt
A. A. Demunbrun	H. A. Knollman	Ote Piper
H. L. Dixon	S. D. Laughlin	H. C. Rice
J. M. Elliston	Joseph Lazarus	Lewis Ryans
L. L. Embry	M. E. Lee	Avery Sartin

Joe Schneider
R. T. Smith
Ben Street
John W. Swope
Elmore Thomas

J. B. Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry
F. C. VanHoose

G. F. Walthal
E. G. Young

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Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 110. An act to regulate the time of holding of the terms of the circuit court in the Twenty-eighth Judicial District.

Mr. Klair moved that said bill be recommitted to the Committee on Circuit Courts with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 119. An act amending that part of section 965 Kentucky Statutes relating to the times for holding court in the Thirty-fourth Judicial District.

Mr. Klair moved that said bill be recommitted to the Committee on Circuit Courts with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 22. An act to repeal and re-enact section 1, chapter 39, of the Acts of 1916, amending chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony and misdemeanor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 39, section 1, of the Acts of 1916, be, and the same is hereby repealed, amended and re-enacted, so that same will read as follows:

“The jury by whom an offender is tried shall fix, by their verdict, the punishment to be inflicted where the punishment is death or life imprisonment, but in the trial of all other offenses the jury shall determine only the guilt or innocence of the accused, and the court shall fix the punishment to be inflicted within the periods or amounts prescribed by law; persons sentenced to punishment by confinement in the penitentiary shall be kept at hard labor. In cases where the punishment is a fine or imprisonment in the jail of the county, or both, the imprisonment shall be by close confinement in the jail of the county where the trial was held, unless otherwise provided; and the prisoner shall also be confined in the jail until the costs are paid, unless otherwise provided; provided, however, that in jurisdictions where there is a county workhouse the court may, in its discretion, confine the prisoner in such county workhouse in lieu of confinement in the county jail as above provided.”

§ 2. All laws or parts of laws in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. L. Hamilton	H. C. McLellen
Chas. Ashby	L. B. Hamilton	W. B. O'Bannon
L. D. Baldauf	E. C. Hardin	T. P. Oliver
J. H. Ballard	A. R. Hudson	Ote Piper
B. C. Beckmann	Chas. L. Hunter	H. C. Rice
H. V. Bell	Leslie P. Jones	Joe Schneider
Leroy Bonta	W. F. Klair	Ben Street
J. L. Bradford	H. A. Knollman	John W. Swope
O. V. Brown	Joseph Lazarus	C. M. Thomas
T. L. Caudel	J. E. Lilly	Elmore Thomas
H. C. Chappell	Harry J. Meyers	J. T. Thornton
Fred Cornelius	Clarence Miller	F. C. VanHoose
W. P. Cropper	Claude D. Minor	G. C. Waggoner
A. A. Demunbrun	John T. Murphy	G. F. Walthal
W. G. Dycus	Ryland C. Musick	T. R. Welch
J. M. Elliston	W. P. McDonogh	W. N. Winn
Lark Garnett	H. C. McGehee	E. G. Young
W. H. Hager	S. Lee McGohan	—53

Those who voted in the negative were—

B. S. Bailey	A. S. Cooper	J. W. Johnson
W. T. Beckham	F. A. Easterling	W. H. Jones
W. P. Bowman	L. L. Embry	Griffin Kelly
R. J. Cain	I. H. Gabbard	S. D. Laughlin
Everett Cobb	M. E. Gilbert	A. J. McCandless
John Cook	Joe Huddleston	W. F. Paris

Luther Pieratt	R. T. Smith	S. G. Thornberry
Richard Radcliffe	J. B. Thomas	
Avery Sartin	G. F. Thompson	—25

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 35. An act to amend and re-enact section 19 of chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, relating to the appointment and number of county supervisors.

H. B. 168. An act to amend and re-enact section 1 of an act entitled an act relating to revenue and taxation, providing an annual tax upon property subject to taxation in this State, fixing the rate thereof, distributing said tax to various departments and state institutions, providing manner and means of assessing and listing corporate property and shares of stock and shares in building and loan associations, designating what classes of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignments of evidence of indebtedness secured by mortgages in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing penalties

and repealing existing statutes, and approved at a special session of the state Legislature, 1917, and providing that the revenues accruing to the University of Kentucky and the State Normal Schools shall be in lieu of the revenue provided and the appropriations made in section 1 of section 4535b, section 4636b and subsection 5 of section 4636c of the Kentucky Statutes, edition of 1915, and of chapter 120, Acts of 1904, and subsections 29, 35 and 36 of section 4535e of the Kentucky Statutes, edition 1915.

S. B. 61. An act to prohibit shipment and delivery of intoxicating liquors in local option territory, and prohibiting any person in such territory from receiving such liquors, prohibiting the soliciting of orders for such liquors in said territory and providing punishment therefor.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House and which have been signed by the presiding officer of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. A. L. Hamilton moved that the calendar be now read.

Said motion was agreed to.

The House then took up for consideration from the calendar bills of the following titles, viz.:

S. B. 41. An act to promote temperance in the state.

H. B. 353. An act to amend section 3025, Kentucky Statutes, Carroll's edition of 1915, concerning the form and amount of liquor licenses in cities of the first class, being part of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

H. B. 195. An act to accept the conditions of an act of Congress of United States entitled an act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in preparing of teachers for vocational subjects, and to appropriate money and regulate its expenditure; and to provide for the inspection of secondary schools maintaining vocational courses and appropriate money to enable the Commonwealth of Kentucky to receive the benefits of the act and to provide for the expenses of such secondary schools.

With an amendment thereto by way of substitute therefor.

H. B. 70. An act for the benefit of West Kentucky Industrial College.

With an amendment thereto by way of substitute therefor.

H. B. 294. An act appropriating money to provide for the continuance of extension work in the state of Kentucky by the Agricultural College of the University of Kentucky, under the provisions of an act of Congress of the United States, approved May 8, 1914, entitled an act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

With an amendment thereto by way of substitute therefor.

H. B. 201. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties, and providing an appropriation therefor.

H. B. 403. An act to further regulate the operation of coal mines; to provide a more efficient supervision and regulation of such mines.

H. B. 456. An act to amend section 4706, Carroll's edition of the Kentucky Statutes of 1915, entitled investment of funds by fiduciary.

H. B. 467. An act authorizing the capital stock of national banks to be taken as security on bonds of said banks as trustee, executor, administrator, or registrar of stocks and bonds.

H. B. 386. An act regulating the trial of causes in the circuit court.

H. B. 304. An act to amend article 3, section 9 thereof, of chapter 74, of an act of the General Assembly of 1893, ap-

proved May 22, 1893, relating to juries, which is section 2260 of the Kentucky Statutes, Carroll's 1915 edition.

H. B. 457. An act to amend section 965, Kentucky Statutes, relating to circuit court in the Nineteenth Judicial District.

H. B. 400. An act to repeal and re-enact chapter 67 of the Acts of the General Assembly of 1910, relating to courts of justice.

H. B. 247. An act to prohibit the practice of law by corporations.

With an amendment thereto by way of substitute therefor.

H. B. 497. An act to put into effect the amendment to section 201 of the Constitution, being Chapter 125 of the Acts of the General Assembly of 1916 adopted by the voters of the Commonwealth at the November election of 1917, to give to the railroad commissioner jurisdiction over the purchase or lease of one telephone company by another as required by such amendment.

S. B. 15. An act to amend section 1358, Kentucky Statutes.

S. B. 22. An act providing for the separate confinement of the criminal insane, defining such term, and providing for the transfer to such institution of those who have been adjudged criminally insane.

H. B. 265. An act to amend and re-enact sections 1896 and 1900, Kentucky Statutes, edition 1915, relating to the destruction of fish by dynamite or any explosive, and the killing of fish by shooting with a gun or pistol, or killing fish by any drug, injurious substance or medicated bait.

H. B. 351. An act amending section 25 of an act amending an act entitled an act for the protection of game and fish, chapter 35, Acts 1912, approved March 12, 1912, as amended by Chapter 30, Acts 1916, approved March 22, 1916.

H. B. 423. An act to amend an act entitled an act concerning notaries public approved March 8, 1916.

H. B. 459. An act to amend and re-enact sections 1697 and 1702, Kentucky Statutes, edition 1915, relating to exemptions of property from sale under execution, attachment, distress or fee bill.

H. B. 472. An act to amend and re-enact section 2922, Kentucky Statutes, Carroll's edition 1915, relating to appeals to circuit courts and Court of Appeals.

H. B. 473. An act to amend section 362 of the Criminal Code of Practice concerning and relating to appeals from judgments of the county court, justice's court or a city or police court.

H. B. 337. An act to repeal and re-enact subsections 3 and 5 of section 112-15, and also sections 117 and 117a, Kentucky Statutes, Carroll's 1915 edition.

H. B. 348. An act to repeal section 3745, Kentucky Statutes, edition 1915, relating to eligibility of Senators and Representatives in the General Assembly.

H. B. 478. An act to abolish certain offices, boards and commissions, together with all powers, privileges, duties, salaries and perquisites belonging or attached thereto.

H. B. 479. An act to enlarge and extend the powers, duties and privileges of State Fire Marshal, providing for the

appointment of a superintendent of rating board, and prescribing his duties and fixing salary.

H. B. 480. An act to create an Efficiency and Economy Commission, prescribing its duties and fixing for the payment of the expenses thereof.

With an amendment thereto.

H. B. 481. An act requiring the custodian of the capitol building and grounds to maintain a system and supervision of work of the employees under him, and providing a penalty for his failure to do so.

H. B. 482. An act to fix the salaries of the following state officers.

H. B. 483. An act to regulate and control the printing and publication by state departments, boards, commissions or institutions, of reports, records, books or pamphlets pertaining to or connected with the business accomplishments or duties of such departments, boards, commissions or institutions.

H. B. 484. An act empowering the Governor to exercise supervision over all state departments, commissions, institutions and officers, agents and employes connected therewith, as well as over all persons who perform any public service for which they are paid out of the State Treasury, and prescribing penalties.

H. B. 485. An act to provide for the approval and payment of all members of boards, institutions, departments or commissions, accounts for traveling expenses of state officers, agents, attorneys or employes that are to be paid out of the State Treasury.

H. B. 486. An act requiring the children of all commissions and boards and assistants, helpers, stenographers and employes engaged in office work for commissions and boards to reside in the city of Frankfort, and to devote their entire time to the duties assigned to them while engaged in their respective employments.

H. B. 487. An act creating the office of Board of Agriculture and Live Stock, and to prescribe its duties, and for the appointment of its members, and fixing the salaries and expense.

With an amendment thereto.

H. B. 488. An act to amend and re-enact section 3795 and section 2047, Carroll's 1915 edition of the Kentucky Statutes, and to create a bi-partisan board for the management and supervision of the penal and eleemosynary institutions of this state; to vest in this commission all the powers, duties and privileges now invested by law in the Board of Control and the Prison Commission of the State of Kentucky, and to require the members thereof to devote their entire time to the duties of the office and the chairman thereof to reside in the city of Frankfort, and fixing the salaries of the members.

H. B. 489. An act to amend and re-enact sections 1905c, 2007a and 2007b, Carroll's 1915 edition of the Kentucky Statutes, and to create the office of Commissioner of Geology and Forestry, and provide for a deputy and fixing of salaries.

H. B. 490. An act to abolish the office of secretary of the State Insurance Board, attorney for the State Rating Board and office of Special Assistant Attorney General, and to repeal so much of section 762d of Carroll's 1915 edition of the Kentucky Statutes, and so much of section — of said statute as authorizes and permits the Insurance Commis-

sioner of the state of Kentucky to receive \$600.00 per annum imposed by the act, and so much thereof as authorized the Attorney General to employ an attorney to represent said board and so much of said statute as creates the office of and authorizes the payment of Special Assistant Attorneys General.

H. B. 491. An act to enlarge and extend the powers, duties and privileges of the State Tax Commission, the State Librarian, the State Inspector and Examiner, and the Confederate Pension Department of the State of Kentucky.

H. B. 492. An act to enlarge and extend the powers, duties and privileges of the State Board of Health of the state of Kentucky, and to require the office thereof to be kept and maintained in the city of Frankfort.

S. B. 40. An act to amend section 2514, Kentucky Statutes, Carroll's edition, 1915, entitled actions that must be brought within fifteen years after accrual of right.

H. B. 270. An act to prevent fraud in the sale and disposition of stocks, bonds, notes, contracts or other securities, and certain real estate, sold or offered for sale within the state of Kentucky and providing penalties for the violations thereof.

H. B. 390. An act relating to exemptions of household goods and other personal property to a person with a family and prescribing the duties of the county clerk in relation thereto, and fixing his compensation.

H. B. 494. An act to repeal chapter 143 of the Acts of the General Assembly of 1906, entitled an act to regulate burial associations, corporations and companies doing business in the state of Kentucky, which became a law March 24,

1906, and chapter 72, of the Acts of the General Assembly of 1908, amending the above said act, which became a law March 27, 1908.

H. B. 406. An act to provide an automobile for the use of Commonwealth's Attorney of districts containing cities of the first class, and authorizing the fiscal court of counties containing such districts to furnish and to provide for the same and for the upkeep of same.

H. B. 418. An act to amend section 822, chapter 32, Kentucky Statutes, Carroll's edition, 1915.

H. B. 367. An act to require justices of the peace in counties having cities of the first class to provide and maintain a suitable room for the transaction of public business and authorizing the payment of the expense thereof out of the county levy.

H. B. 422. An act authorizing the county assessor in counties containing a city of the first class to purchase an automobile.

H. B. 17. An act to amend an act entitled an act for government of cities of the second class, by adding to subsection 20 of section 3058, Kentucky Statutes, which is part of above designated act, approved March 19, 1894.

S. B. 137. An act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18, 1916, relating to the distribution of the state school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections thereof, providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

S. B. 90. An act in relation to advertisements concerning venereal diseases.

H. B. 192. An act to regulate the use and sale of wood alcohol.

H. B. 471. An act to provide a lien on motor vehicles for services or work done, or for accessories or supplies furnished by garages, mechanics, repairmen or other individuals or corporations.

With an amendment thereto.

S. B. 109. An act relating to the maintenance of inter-county seat state aid roads.

S. B. 110. An act regulating the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

S. B. 145. An act to amend and re-enact sections 4329 and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's edition 1915, relating to public roads.

H. B. 450. An act to amend and re-enact section 7 of chapter 7 of the Acts of the Extraordinary Session of 1917 relating to reports for corporation license tax.

H. B. 460. An act providing for the appointment of a member of the State Tax Commission to succeed the Auditor of Public Accounts on said commission.

With an amendment thereto.

H. B. 451. An act to create the office of State Inheritance Tax Appraiser and to provide for the collection of inheritance taxes.

H. B. 476. An act relating to revenue and taxation, and providing for payment of license for engaging in certain kinds of business.

H. B. 461. An act to amend and re-enact section 4122, Kentucky Statutes, edition 1915.

H. B. 642. An act to require the members of the State Tax Commission and the secretary of the State Tax Commission to give separate bonds as such officers, and providing the conditions of said bonds, and fixing the amount thereof, and also providing for the payment of the premiums thereon.

H. B. 477. An act relating to revenue and taxation, repealing subdivision 4 of article 12, chapter 22, of the Acts of the General Assembly of 1906, which act is entitled an act relating to revenue and taxation, same being section 4224, Kentucky Statutes, and amending and re-enacting the same.

S. B. 216. An act to accept the conditions of an act of Congress of the United States entitled an act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in the preparing of teachers for vocational subjects, and to appropriate money and regulate its expenditure, and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid federal act.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

And then the House, at four o'clock p. m., adjourned.

WEDNESDAY, MARCH 6, 1918.

The House was opened with prayer by the Rev. J. J. Gravitt, pastor of the Episcopal Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	Lark Garnett	Ryland C. Musick
Chas. Ashby	M. E. Gilbert	A. J. McCandless
B. S. Bailey	W. H. Hager	H. C. McGehee
J. H. Ballard	J. S. Hall	S. Lee McGohan
A. L. Baldwin	A. L. Hamilton	A. J. Oliver
Robert Bays	L. B. Hamilton	T. P. Oliver
W. T. Beckham	E. C. Hardin	W. F. Paris
B. C. Beckmann	B. H. Harris	Luther Pieratt
H. V. Bell	D. J. Howard	Ote Piper
W. P. Bowman	A. R. Hudson	H. C. Rice
J. L. Bradford	Chas. L. Hunter	Lewis Ryans
R. J. Cain	J. W. Johnson	Joe Schneider
T. L. Caudel	Leslie P. Jones	R. T. Smith
H. C. Chappell	W. H. Jones	John W. Swope
John Cook	Griffin Kelly	C. M. Thomas
A. S. Cooper	W. F. Klair	J. B. Thomas
Fred Cornelius	H. A. Knollman	G. F. Thompson
W. P. Cropper	Joseph Lazarus	J. T. Thornton
James S. Cruse	M. E. Lee	J. Wood Vance
Harry Dill	J. E. Lilly	F. C. VanHoose
H. L. Dixon	Clarence Miller	G. F. Walthal
F. A. Easterling	Claude D. Minor	W. N. Winn
J. M. Elliston	S. H. Moore	E. G. Young
I. H. Gabbard	John T. Murphy	

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On motion of Mr. Chappell the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Upon a call of the counties and representative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Murphy:

H. B. 517. An act to repeal section 3111, Kentucky Statutes, edition 1915, compiled by Hon. John D. Carroll, relating to pardons by mayors of police court convicts.

To the Committee on County and City Courts.

By Mr. Allen:

H. B. 518. An act relating to counties, fiscal courts and the disposition and care of county funds.

To the Committee on County and City Courts.

By Mr. Dixon:

H. B. 519. An act to define corrupt practices and prescribe a punishment for those who may be guilty of corrupt practices.

To the Committee on Suffrage and Elections.

By Mr. J. B. Thomas:

H. B. 520. An act creating the Kentucky State Horticultural Society and to further foster the fruit interests of the state.

To the Committee on Agriculture.

By Mr. Dycus:

H. B. 521. An act to amend and re-enact section 1 of chapter 5 of the Acts of the Special Session, held in 1917,

entitled an act relating to revenue and taxation, and providing a license tax on distilled spirits, known as double stamp spirits, providing for the distribution of said fund, and providing penalties for the violation of its provisions, by striking from section 1 thereof the word "two" and inserting in lieu thereof the word "ten."

To the Committee on Revenue and Taxation.

By Mr. Laughlin:

H. B. 522. An act to amend section one hundred and eighty-six of the Constitution.

To the Committee on Constitutional Amendments.

Mr. Thornton offered the following joint resolution, viz.:

H. Res. 28. Joint resolution for free text book commission.

Whereas, the state of Kentucky has a compulsory education law having for its purpose the furtherance of education and the requirement that the children of the state shall serve a reasonable period of time under public instruction; and,

Whereas, the school books necessary for the children of the state, in order to comply with the act as aforementioned, are consequently increasing in number and price; and,

Whereas, it is generally recognized that a compulsory education act cannot be made applicable in an effective manner except that it be supported by a system of free text books under the direction of the state government; therefore, be it

Resolved by the Legislature of the General Assembly,
That the Governor is authorized to appoint a committee of three citizens who shall be required to investigate and report

upon the practicability of the establishment of a free text book system, to be under the direction and control of the Department of Education of the Kentucky State Government.

Be it further resolved, That the committee prepare and report to the Governor, who shall in turn, submit the matter in detail to the next General Assembly, such investigations, and they to contemplate the following:

1. The approximate number of school books used in the various grades of the public schools annually.

2. The amount paid for the school books used in the public schools of the state annually and the cost of production thereof.

3. The difficulties, if there be any, in securing the right to publish a book of standard works that can be applicable in a general way to the educational system of the state.

4. The amount of printing now being purchased by the state in various forms, the prices being paid for the sundry items, and from whom such supplied are secured.

5. An investigation of the practicability of existing municipal, state and government printing plants; the character of work executed by them; the character of labor employed, and the approximate cost of the establishment of an institution of such character by and for the use of the state and maintenance of the free text book system in connection therewith;

Be it further resolved, That the commission thus appointed by the Governor be granted compensation equal to and not exceeding that received by members of the General Assembly while in session, plus railroad fare and expenses en route, and that the report as required above be consummated as quickly as possible, to the end that the most economical results may be maintained.

Be it further resolved, That the commission as aforementioned shall present with the information gathered a bill predicated upon the principle of improving the public school system by and through the means of free text books, as well as the economical production of all printed matter required by the state.

Be it further resolved, That all departments of the state are required to co-operate and to assist in any regard whatsoever the commission to be appointed as indicated above in securing the information desired. The commission is likewise authorized to subpoena and investigate such matters as will place them in possession of information as proposed in this act.

Ordered, that said resolution lie on the Clerk's desk.

Mr. R. T. Smith offered the following joint resolution, viz.:

H. Res. 29. Resolution regarding the manipulation and control of leaf tobacco in this Commonwealth.

Whereas, even an inferior degree of patriotism and an imperfect conception of common honesty and fair dealing demand in the status of the markets and conditions of transportation resulting from the perilous times of war that all men abide by the laws of the country, both state and federal, and cease to take advantage of the conditions and to cripple or destroy any industry, especially farming industry, by conspiring and confederating to manipulate and to control the prices of farm products, and,

Whereas, the general welfare of the country and the laws of the land demand that men cease profiteering by the means of confederation to manipulate and control the markets, and require that men in every line of business join

in the universal effort being made to encourage and assist every industry, and especially farming industry, and,

Whereas, it is apparent from the condition of the tobacco market in this state that the methods resorted to by the R. J. Reynolds Tobacco Co., the American Tobacco Company, the Liggett & Myers Company and J. P. Lolliard Company are the products of a confederation of these companies to control the tobacco markets in this state, and that these four companies are acting in concert and in pursuance to a conspiracy entered into for the purpose of manipulating and controlling the tobacco market in several counties of this state, which is seriously detrimental to the tobacco industry, as well as to the independent buyers of tobacco in this state, and that these four companies, by and through their agents in this state, will continue to manipulate and control the tobacco market in this state unless they are exposed and made to comply with the anti-trust laws of this state; therefore,

Be it resolved by the House and Senate concurring in this joint resolution, That the General Assembly, through the President of the Senate, and the Speaker of the House, select two members of the Senate to be named by the President of the Senate, and three members of the House, to be named by the Speaker of the House, as a committee to investigate the cause of the present condition of the tobacco market in this state, and the connection, direct and indirect, of said four companies and their several agents, and report to the General Assembly at this session the connection of said four companies and the manipulation by them of the tobacco market of this state, and whether or not they are violating the anti-trust laws of this state, and whether or not the anti-trust laws, now in operation in this state are adequate to prevent in the future the confederation to manipulate and control the tobacco market and the manipulation and controlling the market in this state by such companies and their

agents. That said committee be vested with power, and it is hereby vested with power, to summon witnesses, administer oaths, and to hear any and all evidence which, in its judgment, may be necessary to accomplish the purpose of this joint resolution, and that said committee report to the next regular session of the General Assembly.

Ordered, that said resolution lie on the Clerk's desk.

Mr. B. S. Bailey offered the following joint resolution, viz.:

H. Res. 30. Resolution directing that one thousand copies of the message of His Excellency, Hon. A. O. Stanley, Governor of Kentucky, be printed for distribution.

Whereas, His Excellency, Hon. A. O. Stanley, Governor of the Commonwealth of Kentucky, has by special message to the General Assembly, pointed out the advisability of abolishing various departments and offices and suggesting the enactment of various bills looking to the carrying out of the recommendations embodied in the report of the Probe Committee; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That one thousand (1,000) copies of this able, excellent and appropriate message be printed in pamphlet form and placed on the desks of the members of the General Assembly for distribution among their respective constituents.

Ordered, that said resolution lie on the Clerk's desk.

Mr. T. P. Oliver offered the following joint resolution, viz.:

H. Res. 31. Joint resolution petitioning Congress to enact legislation for prevention of loss by floods on the Mis-

Mississippi river, by retaining in the service of the Federal government at the close of the World War, all soldiers desiring to continue in the employ of the government:

Whereas, the frequent floods of the Mississippi river, caused by the waters from thirty-one states, embracing more than one-half of the agricultural land of the United States, which annually results in great loss of human lives and the destruction of property worth millions of dollars, in the states bordering this stream, and its tributaries, and whereas, investigations previously made show such floods are preventable at a cost which is merely nominal when compared with the benefits that will accrue, and whereas the dealing with this question is interstate, and not intrastate, and can be dealt with in a feasible and practicable way, only by our national government, as distinguished from the individual efforts of states, and whereas, we have by the present world condition, been brought to a full realization of the unwisdom of our unresponsiveness, to the warning of our leaders of thought, that, in time of peace was the time to prepare for war, now, shall we not take counsel and exert every effort individually and collectively to make our national defense fully adequate and efficient for the promulgation of our national policies and reserve them.

Whereas, our unpreparedness for engaging a foe in war, when of necessity we were plunged into it, against our wishes, only serves to teach us, that now in time of war, is the time to prepare for peace. We are at this moment sublimely conscious that after our brave soldiers have won a glorious victory, a glorious peace must follow, but after peace, what must follow is the burning question, when we are called upon to face the conditions that will then prevail, with our millions of soldiers discharged from military service, and without employment. Realizing that the business of our nation will during the war, be organized on a bases, that when peace comes, the supply of labor will exceed the demand therefor, and that

great numbers of willing workers will fail to find employment; we are brought to a realization of the necessity that now in time of war, is the time to prepare for peace.

To the end that the millions of our brave soldiers may not, when the peace treaty is signed, be discharged from service by our National Government, without employment, we appeal to the Congress of the United States, to now enact such legislation as will enable the National Government to retain in its service for an indefinite term, such soldiers as may not have employment in some private industry, until such time that the conditions of our country will be restored to its normal pre-war labor condition, and that our National Government create the necessary demand for labor by inaugurating public internal improvements of our rivers, canals, levees and such other useful undertakings as may be deemed for the good of our country. Believing in the soundness of the foregoing economic principles,

Be it resolved by the General Assembly of Kentucky: That same is recommended to the Congress of the United States, and that the members of Congress representing the Commonwealth of Kentucky be memorialized by this body to use their influence to secure the enactment of these principles into laws;; therefore,

Be it resolved by the House of Representatives of the State of Kentucky, the Senate concurring: That the Congress of the United States be and it is hereby requested to take under immediate consideration this important problem, and enact such laws as shall provide for the retention in the service of the National Government at the conclusion of peace with our enemy, all soldiers who are willing to remain in the service of the government, and that such soldiers be employed in the construction of such flood prevention and other internal improvements as may redound to the great welfare of the people of the several states, and by so doing avoid the calamity that will follow by the millions of soldiers being dis-

charged from the service of the government, without any useful occupation, whereby the great supply of labor in industrial enterprises will be greatly in excess of the demand therefor.

Be it further resolved: That copies of this resolution be sent to the Speaker of the House of Representatives, to the President of the Senate of the Congress of the United States and to each member in the Congress of the United States from this Commonwealth.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Laughlin offered the following resolution, viz.:

Resolution extending to the wife of the Governor the privileges of the floor of this House.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That all the rights, privileges and courtesies usually extended to visitors be, and the same are hereby extended to Mrs. A. O. Stanley, wife of His Excellency, the Governor of this Commonwealth.

Said resolution was adopted.

Mr. McDonogh offered the following resolution, viz.:

Resolution calling upon the Attorney General of the Commonwealth of Kentucky for a list of "Lobbyists" who have registered in accordance with the 1916 act.

Be it resolved by the House of Representatives of the General Assembly:

That the Attorney General of the State of Kentucky be and he is hereby requested to, at once, furnish to this House of Representatives a list of all persons, who have registered

as "lobbyists" in accordance with chapter 16 of the Acts of the General Assembly of 1916, requiring the registration of such lobbyists, together with a list of the bills such persons have registered themselves as being interested in.

Said resolution was adopted.

Mr. Howard offered the following resolution, viz.:

Whereas, the Committee on Revenue and Taxation has had in its hands for consideration House Bill No. 83 since January 17th, 1918, and,

Whereas, said committee has held said bill for a period of forty-seven days without reporting same; therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky: That said Committee on Revenue and Taxation has held said House Bill No. 83 an unreasonable length of time without reporting same.

Mr. Howard moved that said resolution be adopted.

The yeas and nays being required on said motion by Messrs. Howard and Kelly, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Beckham	A. L. Hamilton	Ryland C. Musick
W. P. Bowman	L. B. Hamilton	Ote Piper
J. L. Bradford	B. H. Harris	Richard Radcliffe
T. L. Caudel	D. J. Howard	Avery Sartin
Everett Cobb	A. R. Hudson	Joe Schneider
John Cook	Leslie P. Jones	John W. Swope
A. S. Cooper	Griffin Kelly	C. M. Thomas
W. P. Cropper	H. A. Knollman	J. T. Thornton
Harry Dill	S. D. Laughlin	S. G. Thornberry
Lark Garnett	Joseph Lazarus	J. Wood Vance
M. E. Gilbert	Claude D. Minor	T. R. Welch
W. H. Hager	S. H. Moore	W. N. Winn
J. S. Hall	John T. Murphy	E. G. Young

Those who voted in the negative were—

Ed. L. Allen	I. H. Gabbard	A. J. Oliver
Chas. Ashby	E. C. Hardin	T. P. Oliver
B. S. Bailey	Joe Huddleston	W. F. Paris
L. D. Baldauf	Chas. L. Hunter	Lilburn Phelps
J. H. Ballard	J. W. Johnson	Luther Pieratt
A. L. Baldwin	W. H. Jones	H. C. Rice
Robert Bays	W. F. Klair	R. T. Smith
B. C. Beckmann	W. T. Lasley	Thomas Spurrier
H. V. Bell	J. E. Lilly	Elmore Thomas
R. J. Cain	Harry J. Meyers	J. B. Thomas
H. C. Chappell	Clarence Miller	G. F. Thompson
Fred Cornelius	A. J. McCandless	F. C. VanHoose
W. G. Dycus	W. P. McDonogh	G. F. Walthal
J. M. Elliston	H. C. McGehee	
L. L. Embry	S. Lee McGohan	

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And so said resolution was disagreed to.

Mr. Allen moved that the vote by which said resolution was disagreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair called up for consideration from the Clerk's desk a resolution of the following title, viz.:

S. Res. 15. Resolution providing for the adoption of the Legislative Digest as the official publication of the General Assembly, and to purchase copies of same for members of the General Assembly and certain officials.

(For said resolution see House Journal, March 4, 1918.)

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Hamilton	H. C. McLellen
B. S. Bailey	L. B. Hamilton	A. J. Oliver
L. D. Baldauf	E. C. Hardin	T. P. Oliver
J. H. Ballard	B. H. Harris	W. F. Paris
W. T. Beckham	David J. Howard	Lilburn Phelps
B. C. Beckmann	Joe Huddleston	Luther Pieratt
H. V. Bell	A. R. Hudson	Ote Piper
W. P. Bowman	Chas. L. Hunter	Richard Radcliffe
J. L. Bradford	W. H. Jones	Avery Sartin
O. V. Brown	Griffin Kelly	Joe Schneider
R. J. Cain	W. F. Klair	R. T. Smith
T. L. Caudel	H. A. Knollman	Thomas Spurrier
H. C. Chappell	Joseph Lazarus	John W. Swope
Everett Cobb	M. E. Lee	C. M. Thomas
A. S. Cooper	J. E. Lilly	Elmore Thomas
James S. Cruse	Harry J. Meyers	G. F. Thompson
A. A. Demunbrun	Clarence Miller	J. T. Thornton
H. L. Dixon	Claude D. Minor	S. G. Thornberry
W. G. Dycus	John T. Murphy	G. F. Walthal
J. M. Elliston	Ryland C. Musick	T. R. Welch
I. H. Gabbard	A. J. McCandless	W. N. Winn
Lark Garnett	W. P. McDonogh	E. G. Young
W. H. Hager	H. C. McGehee	

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And so said resolution was concurred in.

Mr. Phelps called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 21: Joint resolution providing for a commission of five, composed of the Chief Justice of the Court of Appeals, Attorney General, one member from the House of Representatives, to be appointed by the Speaker thereof, one member from the Senate, to be appointed by the President thereof, and the other member to be appointed by the Governor, said commission to be known as the Torrens Commis-

sion, whose duty it shall be to study and make report upon the Torrens system of recording land titles in this State.

(For said resolution see H. J. Feb. 25, 1918.)

Said resolution was adopted.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution and a bill of the following titles, viz:

S. Res. 8: Resolution to permit P. F. Edwards to sue the State of Kentucky.

S. B. 194: An act to amend and re-enact Sections 18 and 20 of the act approved March 17, 1914, entitled an act relating to the establishment, protecting and building of levees for the public benefit, which appears on page 71 of the acts of the General Assembly of the Commonwealth of Kentucky, 1914, providing for making assessments against lands protected by levees, for the purpose of raising money to pay the principal and interest on bonds and other liabilities of the district and Levee Commissioners, which now exist or may hereafter be incurred, and providing for the reconstruction, repair and maintenance of levees heretofore constructed, for which the general laws of Kentucky pertaining to drainage of lands may not be applicable.

Whereupon all other business was suspended, said resolution and said bill were read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution and said bill.

Ordered; that the Enrolling Clerk deliver said resolution and said bill to the Senate.

The committees to which the same had been referred reported bills of the following titles, viz:

By Mr. Claude M. Thomas, of the Committee on Agriculture:

S. B. 92. An act to amend chapter 71 of the Acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor on March 24, 1916.

By Mr. Hardin, of the Committee on Appropriations:

S. B. 259. An act relating to public health, repealing, amending and re-enacting Sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's Edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station, and for other purposes, creating county and district departments of health and providing and limiting appropriations of the State Board of Health and further defining its powers and duties.

By same:

II. Res. 22. Resolution authorizing Sinking Fund Commission to acquire land and method of payment.

With the expression of opinion that same ought not to pass.

The Speaker stated the question: Shall said resolution be given its first reading, the report of the committee to the contrary notwithstanding?

Said question was decided in the negative.

By same:

H. Res. 22. Joint resolution providing for the creation of an Industrial Commission to study labor and industrial conditions, wages, labor laws, and other matters of importance to the welfare and development of the State, and for a report thereupon.

By Mr. Lilly, of the Committee on Banks and Banking:

S. B. 46. An act to amend sub-section 8 of Chapter 9a, Kentucky Statutes, being section 165, Kentucky Statutes, Carroll's Edition, 1915, relating to the banking department, by providing that the Banking Commissioner may accept examinations made by the Federal Reserve authorities in lieu of his official examinations, and authorizing the Banking Commissioner to furnish to the Federal Reserve Agent of the district in which a member bank may be situated copies of examinations and reports of member banks.

By same:

S. B. 118. An act to amend Sections 579 and 584, Kentucky Statutes, Carroll's 1915 Edition, relating to the powers of banking corporations and the required reserves of such corporations, by providing that banking institutions created and organized under the laws of this Commonwealth may pledge any portion of their assets as security for deposits of the United States Government, and further providing that such banks or trust companies which shall become members of a Federal Reserve Bank, may conform to the re-

serve requirements of the act of Congress known as the Federal Reserve Act, in lieu of reserves required by the laws of this Commonwealth.

By Mr. Murphy, of the Committee on Compensation for Industrial Injuries:

S. B. 131. An act to amend Sections 1, 7, 16, 17 and 45 of an act entitled an act to provide an elective system of Workmen's Compensation for Industrial Accidents, and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, and approved by the Governor March 23, 1916.

With an amendment thereto.

By Mr. Meyers, of the Committee on Corporate Institutions:

S. B. 59. An act to repeal and re-enact Article 15, Chapter 32, Kentucky Statutes, which is entitled: Sale and Purchase of Corporations, and consists of Section 883b of Carroll's Statutes, 1915 Edition, by substituting the terms of this act therefor.

By Mr. Caudel, of the Committee on Circuit Courts:

H. B. 29. An act to amend Section 2251, Kentucky Statutes, Carroll's Edition, providing for compensation of grand jurors.

By same:

H. B. 30. An act to amend section 2260 of the Kentucky Statutes, Carroll's edition, providing for the pay of jurors and re-enacting the same.

By Mr. Phelps, of the Committee on County and City Courts:

H. B. 362. An act to enlarge the powers of Court House Commissioners in counties having a Court House District.

By same:

H. B. 419: An act to regulate conducting pool tables, billiard tables and pigeon hole tables outside of incorporated towns.

By Mr. Lasley, of the Committee on Codes of Practice:

H. B. 514. An act to repeal Sub-section 5 of Section 493 of the Kentucky Civil Code of Practice and to re-enact said Sub-section 5 of Section 493 of the Civil Code.

By Mr. Cobb, of the Committee on Cities of the Fifth and Sixth Class:

H. B. 500. An act to repeal an act to incorporate the town of Ford, Clark County, Kentucky, and an act amendatory thereto.

By same:

H. B. 502. An act to repeal an act of the General Assembly of 1880, incorporating the town of McKinney, Lincoln County, Kentucky.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 510. An act relating to crimes and punishment and allowing persons convicted of felonies to execute bond pending appeal to Court of Appeals.

By same:

H. B. 512. An act to amend Sub-section 1 of Section 4780 of the Kentucky Statutes, Carroll's 1915 Edition, being an act approved March 21, 1904.

By same:

H. B. 515. An act to provide for the opening of private passways.

By same:

H. B. 238. An act to establish an athletic board of control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this State, providing for the payment of a tax and license and prohibiting the sale of intoxicating liquors on the premises where any boxing exhibition is held, and prohibiting any betting or gaming at any such contest and providing for penalty for violation of this act.

By Mr. Lee, of the Committee on Military Affairs:

S. B. 136. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties and providing an appropriation therefor.

By Mr. Beckmann, of the Committee on Municipalities:

S. B. 240. An act to amend sections 3486-3503 of the Kentucky Statutes, Carroll's Edition 1915, relating to cities of the fourth class.

By same:

H. B. 444. An act to amend Section 3373 of Carroll's Kentucky Statutes, Edition 1915.

By same:

S. B. 76. An act to amend Sub-section 12, Section 3290, Chapter 89 of the Kentucky Statutes, relating to the government of third class cities.

By Mr. Moore, of the Committee on Public Offices:

H. B. 374. An act relating to claims against the Treasury, particularly the per diem of members of Boards, and the traveling and hotel expenses of State officers, members of boards and employes.

By Mr. Welch, of the Committee on Public Health:

H. B. 505. An act for the protection of the health and comfort of ladies, by prohibiting smoking in certain dining rooms.

By same:

H. B. 428. An act to amend an act approved March 14, 1912, entitled: An act to regulate the employment of females in order to safeguard their health.

By Mr. A. L. Hamilton, of the Committee on Printing:

H. B. 506. An act to amend Section 1, of an act in relation to advertisements and entitled "Advertisements," approved January 13, 1893.

By Mr. Laughlin, of the Committee on Public Utilities:

H. B. 438. An act amending Section 1811, Kentucky Statutes, Carroll's 1915 Edition, relating to Ferries.

By Mr. J. B. Thomas, of the Committee on Public Warehouses and Granaries:

H. B. 448. An act to amend and re-enact Section 4814b, Kentucky Statutes, Edition 1915, relating to tobacco warehousemen.

By Mr. Cropper, of the Committee on Redistricting—
Judicial:

S. B. 180. An act to amend an act entitled: An act creating the Thirty-sixth Judicial District of Kentucky, fixing the time of holding courts thereof, providing for the appointment of and election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Thirty-first and Thirty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth District, and fixing the time for holding the courts in said district and in other districts affected.

By Mr. Winn, of the Committee on Railroads:

S. B. 20. An act abolishing the fellow servant rule of law and modifying the doctrine of contributory negligence and assumed risk between master and servant, in actions arising between common carriers and their employes in this State.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

A message was received from the Senate announcing that they had passed bills originally in that body of the following titles, viz:

S. B. 1. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto.

To the Committee on Appropriations.

S. B. 95. An act empowering the State Executive Agent of the Fish and Game Commission to take possession of the

mussell shell beds lying between the thread of the Ohio River and its northern shore, and authorizing him to lease same, and to regulate the catching of said shells and imposing penalties for violation of the provisions of this act.

To the Committee on Fish and Game.

A message was received from the Senate announcing that they had passed a resolution originating in that body of the following title, viz:

S. Res. 19. Resolution for the benefit of Frank Rives, F. L. Hamby, J. L. Early and Roy L. McFarland.

To the Committee on Appropriations.

Mr. Waggoner of the Committee on Public Roads and Highways, to which the same had been recommitted with leave to report at any time, reported a bill of the following title, viz:

S. B. 18. An act for the improvement of the public highways of this Commonwealth.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of every owner, controller and manager of lands bordering and abutting on the public highways of this Commonwealth, for the distance which their said land so abuts and borders, when so ordered by the fiscal court of his county, to cut, clear away, remove and carry from along side the public highways all bushes, weeds, shrubs and overhanging limbs of trees and all such obstructions along such highways, and to keep all hedge fences along such highway so trimmed and cut back that same, at no time, will become more than five feet high.

§ 2. The brush, bushes, weeds, overhanging limbs of trees and all other obstructions along the highways of the several counties of this Commonwealth are to be removed therefrom between the 1st day of July and the 20th day of July of every year, and it shall be the duty of the County Road Engineer of the several counties of this Commonwealth to publish in some county paper of the county in which they act for at least two consecutive weeks before the first day of July of every year and to give notice by handbills posted in not less than ten conspicuous places in each voting precinct of their counties outside of the incorporated towns, the requirements of this act and the duties incumbent on such persons as own, control and manage lands bordering and abutting on the public highways.

§ 3. Every person who violates the provisions of this act by failure to perform the duties as herein required shall on conviction be fined in a sum of not less than twenty dollars nor more than fifty dollars. And the County Road Engineer shall on conviction be fined in the sum of not less than twenty-five dollars nor more than one hundred dollars for his failure to publish the notices as herein required.

§ 4. The costs of publication of the notices herein required are to be paid by the fiscal court of the county in which the notices were published and posted.

§ 5. All laws or parts of laws in conflict with this act are hereby repealed.

The Committee on Public Roads and Highways offered the following amendments to said bill, viz:

Amend Section 1 of Senate Bill 18, by striking out of lines five and six the following words: "When so ordered by the fiscal court of his county," and by changing the period at the end of said section to a comma, and by adding the following: "When so ordered by the fiscal court of his county, provided a majority of the voters of the county or district

shall have voted in favor of so doing, at an election held for that purpose in the manner set out by chapter 122 of Kentucky Statutes, Carroll's Edition of 1915."

Said amendment was adopted.

Mr. Musick moved that the session be extended until the matter under consideration is disposed of.

Said motion was agreed to.

Mr. Cook offered the following amendment to Senate Bill No. 18, viz:

Amend Senate Bill No. 18, Section 2, line four, by striking out the words "twentieth day of July" and inserting in lieu thereof "twentieth day of August."

Said amendment was adopted.

Mr. Claude M. Thomas offered the following amendment to said bill, viz:

Amend by striking out the words "and overhanging limbs of trees and all such obstructions" in lines six and seven of Section 1, and by striking out the words "overhanging limbs of trees and all other obstructions" in lines two and three of Section 2.

Said amendment was adopted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Chas. Ashby	Lark Garnett	H. C. McLellen
W. T. Beckham	W. H. Hager	Luther Pieratt
B. C. Beckmann	E. C. Hardin	Ote Piper
H. V. Bell	B. H. Harris	Richard Radcliffe
J. L. Bradford	David J. Howard	Avery Sartin
G. V. Brown	A. R. Hudson	Joe Schneider
R. J. Cain	Chas. L. Hunter	R. T. Smith
H. C. Chappell	Leslie P. Jones	John W. Swope
Everett Cobb	H. A. Knollman	C. M. Thomas
John Cook	S. D. Laughlin	Elmore Thomas
A. S. Cooper	M. E. Lee	J. T. Thornton
W. P. Cropper	Clarence Miller	F. C. VanHoose
James S. Cruse	S. H. Moore	G. C. Waggoner
A. A. Demunbrun	John T. Murphy	T. R. Welch
Harry Dill	Ryland C. Musick	W. N. Winn
W. G. Dycus	A. J. McCandless	
I. H. Gabbard	W. P. McDonogh	

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Those who voted in the negative were—

B. S. Bailey	W. H. Jones	J. B. Thomas
T. L. Caudel	J. E. Lilly	J. Wood Vance
H. L. Dixon	H. C. McGehee	G. F. Walthal
L. B. Hamilton	T. P. Oliver	
Joe Huddleston	H. C. Rice	

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Resolved that the title thereof be as aforesaid.

And then the House at twelve o'clock, noon, recessed until two p. m. today.

AFTERNOON SESSION.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Ed. L. Allen	W. H. Hager	H. C. McLellen
Chas. Ashby	A. L. Hamilton	A. J. Oliver
B. S. Bailey	L. B. Hamilton	T. P. Oliver
L. D. Baldauf	E. C. Hardin	W. F. Paris
J. H. Ballard	B. H. Harris	Lilburn Phelps
Robert Bays	David J. Howard	Luther Pieratt
W. T. Beckham	Joe Huddleston	Ote Piper
B. C. Beckmann	A. R. Hudson	Richard Radcliffe
H. V. Bell	Chas. L. Hunter	H. C. Rice
Leroy Bonta	J. W. Johnson	Lewis Ryans
W. P. Bowman	Leslie P. Jones	Avery Sartin
J. L. Bradford	W. H. Jones	Joe Schneider
O. V. Brown	Griffin Kelly	Claude B. Smith
R. J. Cain	H. A. Knollman	Thomas Spurrier
T. L. Caudel	W. T. Lasley	John W. Swope
H. C. Chappell	S. D. Laughlin	C. M. Thomas
Everett Cobb	Joseph Lazarus	Elmore Thomas
John Cook	M. E. Lee	J. B. Thomas
A. S. Cooper	J. E. Lilly	G. F. Thompson
Fred Cornelius	Harry J. Meyers	J. T. Thornton
W. P. Cropper	Clarence Miller	S. G. Thornberry
James S. Cruse	Claude D. Minor	J. Wood Vance
A. A. Demunbrun	S. H. Moore	F. C. VanHoose
H. L. Dixon	John T. Murphy	Geo. C. Waggoner
W. G. Dycus	Ryland C. Musick	G. F. Walthal
F. A. Easterling	A. J. McCandless	T. R. Welch
I. H. Gabbard	W. P. McDonogh	W. N. Winn
Lark Garnett	H. C. McGehee	E. G. Young
M. E. Gilbert	S. Lee McGohan	

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Mr. Cropper, of the Committee on Redistricting—Judicial, to which the same had been recommitted with leave to report at any time, reported House Bill No. 319.

Mr. A. J. Oliver, rising to a point of order, made the point that Senate Bill No. 66 takes precedence over House Bill No. 319 by reason of the fact that Senate Bill No. 66 had been made a special order for this hour, namely, 2:00 p. m.

Said point of order was sustained.

The House then took up for consideration the special order set for this time, namely, a bill entitled:

S. B. 66. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative to the State Normal School for Colored Persons, and amending and re-enacting same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition, 1915, relative to the State Normal School for Colored Persons, be, and the same is, hereby repealed and the following re-enacted in lieu thereof:

Trustees—Appointment—Term of Office—Powers—Vacancies—Treasurer.—The State Normal School for Colored Persons, established by an act of the General Assembly, approved May eighteenth, one thousand eight hundred and eighty-six, shall hereafter be under the control and supervision of a board of trustees, composed of the Superintendent of Public Instruction, who shall be ex-officio chairman of the board, and three intelligent and discreet persons, to be appointed by the Governor subject to the approval of the Senate, who are hereby constituted a body corporate, with power to sue and be sued, plead and be impleaded, and to hold in trust all funds and property now owned by

said school, or which may hereafter be provided for it, and shall be known and designated as "The Board of Trustees of the Kentucky State Normal School for Colored Persons," provided that no two appointive members of said board shall be residents of any one county.

The term of office for the three members appointed by the Governor shall begin on the first of July, one thousand eight hundred and ninety-three, and one member thereof shall retire as may be determined by lot, at the end of one year thereafter; one in two years and the other in three years; their successor shall be appointed by the Governor, for a term of three years; they shall be subject to removal by the Governor for cause, and he is authorized to fill all vacancies occurring by death, resignation or otherwise, provided that the board as now constituted shall continue in office for their respective terms.

Said board shall adopt such rules for the government of said school, not inconsistent with law, as they deem proper, and shall supervise all its interests, provide for all its wants, confer weekly with the faculty and require formal reports of the actual condition of the school in every regard. They shall biennially, beginning on the first day of July, 1893, elect some suitable person outside of their own number as treasurer, who, before entering on his duty, shall give in bond such a sum as they may prescribe, and they shall agree with him as to compensation; provided, that in no case shall such compensation exceed one hundred dollars per annum; provided, that no member of the board of trustees of the State Normal School for Colored Persons shall draw any salary for their services as such, but shall be paid their necessary traveling expenses and hotel bills in going to and from each meeting of the board and other legitimate expenses to be paid out of any money now appropriated by the state of Kentucky for said State Normal School for Colored Persons, said expenses to be paid after an itemized ac-

count is filed and is now required by law for similar expenses against the state.

§ 2. That all laws and parts of laws in conflict of this law are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. M. Elliston	Joseph Lazarus
Chas. Ashby	I. H. Gabbard	M. E. Lee
B. S. Bailey	Lark Garnett	J. E. Lilly
L. D. Baldauf	M. E. Gilbert	Harry J. Meyers
J. H. Ballard	W. H. Hager	Claude D Minor
Robert Bays	J. S. Hall	S. H. Moore
W. T. Beckham	A. L. Hamilton	John T. Murphy
W. P. Bowman	E. C. Hardin	Ryland C. Musick
J. L. Bradford	B. H. Harris	A. J. McCandless
R. J. Cain	David J. Howard	W. P. McDonogh
H. C. Chappell	Joe Huddleston	H. C. McGehee
Everett Cobb	A. R. Hudson	S. Lee McGohan
John Cook	Chas. L. Hunter	H. C. McLellen
A. S. Cooper	J. W. Johnson	A. J. Oliver
W. P. Cropper	Leslie P. Jones	T. P. Oliver
James S. Cruse	W. H. Jones	W. F. Paris
A. A. Demunbrun	Griffin Kelly	Lilburn Phelps
H. L. Dixon	H. A. Knollman	Luther Pieratt
W. G. Dycus	W. T. Lasley	Ote Piper
F. A. Easterling	S. D. Laughlin	H. C. Rice

Lewis Ryans	Elmore Thomas	Geo. C. Waggoner
Avery Sartin	J. B. Thomas	G. F. Walthal
Joe Schneider	G. F. Thompson	T. R. Welch
R. T. Smith	J. T. Thornton	W. N. Winn
Thomas Spurrier	S. G. Thornberry	E. G. Young
John W. Swope	J. Wood Vance	
C. M. Thomas	F. C. VanHoose	

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Resolved, that the title thereof be as aforesaid.

Mr. A. L. Hamilton moved that Senate Bill No. 216 be taken from the orders of the day and placed upon its passage, and that the rules be suspended for that purpose.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 216. An act to accept the conditions of an act of Congress of the United States entitled "An act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in the preparing of teachers for vocational subjects, and to appropriate money and regulate its expenditure;" and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid federal act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Commonwealth of Kentucky hereby accepts all the provisions of an act of Congress of United States

entitled "An act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in the preparing of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, and designates a board to be known as the Vocational Education Board, consisting of the Superintendent of Public Instruction, the President of the University of Kentucky, the Attorney General, the Secretary of State, and two other men, who shall be appointed for terms of two (2) years by the Governor, one of whom is to be a superintendent of schools, and the other engaged in farming or other business, to administer the provisions of said act in accordance with the provisions thereof, and they shall receive their necessary traveling expenses in attendance upon meetings.

§ 2. There is hereby appropriated out of any fund in the State Treasury not otherwise appropriated, the sum of \$12,493.00 for the year ending June 30, 1918, \$17,491.00 for the year 1919, \$22,988.00 for the year 1920, \$24,987.00 for the year 1921, and \$24,987.00 annually thereafter for each year ending June 30th. The money so appropriated shall be payable to such institutions and in such amounts as may be designated by the Vocational Education Board to carry on teacher training instruction in the state of Kentucky in accordance with the federal act.

§ 3. The inspection of schools receiving the benefits of the act of Congress aforesaid and which have established courses of vocational education in Agriculture, Home Economics and Trade and Industrial Education as provided in said act, shall be made by and under the direction of the professor of Secondary Education of the University of Kentucky, and while acting in such capacity he shall be under the direction and control and responsible to the Vocational Education Board. It shall be his duty to report to the Superintendent of

Public Instruction and the Vocational Education Board the results of his inspection. The said professor of Secondary Education may appoint such assistants as may be necessary, subject to the approval of the Vocational Education Board.

§ 4. There is hereby appropriated the sum of \$2,500.00 for the current fiscal year, and each year thereafter, for the purpose of paying for the inspection and supervision of courses in such schools, as provided in section 3 of this act.

§ 5. The State Vocational Education Board shall have the authority and power to establish standards for the qualification and certification of teachers employed in the teaching of courses maintained in the schools receiving aid from federal funds.

§ 6. Whereas it is necessary to accept immediately the provisions of the said act of Congress in order to receive the benefits of the act, an emergency is hereby declared to exist, and this act shall take effect from and after its passage and approval as required by law.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. T. Beckham	O. V. Brown
Chas. Ashby	H. V. Bell	R. J. Cain
B. S. Bailey	Leroy Bonta	H. C. Chappell
J. H. Ballard	W. P. Bowman	Everett Cobb
A. L. Baldwin	J. L. Bradford	John Cook

A. S. Cooper	Leslie P. Jones	A. J. Oliver
Fred Cornelius	W. H. Jones	T. P. Oliver
W. P. Cropper	Griffin Kelly	W. F. Paris
James S. Cruse	W. F. Klair	Lilburn Phelps
Harry Dill	H. A. Knollman	Luther Pieratt
H. L. Dixon	W. T. Lasley	Avery Sartin
W. G. Dycus	S. D. Laughlin	Joe Schneider
J. M. Elliston	Joseph Lazarus	R. T. Smith
I. H. Gabbard	M. E. Lee	John W. Swope
Lark Garnett	J. E. Lilly	C. M. Thomas
M. E. Gilbert	Harry J. Meyers	Elmore Thomas
W. H. Hager	Clarence Miller	J. B. Thomas
A. L. Hamilton	Claude D. Minor	J. T. Thornton
L. B. Hamilton	S. H. Moore	J. Wood Vance
E. C. Hardin	John T. Murphy	F. C. VanHoose
B. H. Harris	Ryland C. Musick	G. C. Waggoner
David J. Howard	A. J. McCandless	G. F. Walthal
Joe Huddleston	W. P. McDonogh	T. R. Welch
A. R. Hudson	H. C. McGehee	W. N. Winn
Chas. L. Hunter	S. Lee McGohan	E. G. Young
J. W. Johnson	H. C. McLellen	

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Resolved, that the title thereof be as aforesaid.

The House then took up for consideration the special order set for this hour, namely, a bill entitled:

H. B. 216. An act to amend section 3499, Kentucky Statutes, Carroll's edition of 1915, being an act entitled an act to amend an act entitled an act for the government of cities of the fourth class, approved March 19, 1912, and being a part of charters of cities of the fourth class, be, and the same is, amended by adding subsection 36.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3490, Kentucky Statutes, Carroll's edition, 1915, being an act entitled "An act to amend an act entitled, an act for the government of cities of the fourth class," approved March 19, 1912, and being a part of charters of cities of the fourth class, be, and the same is, amended by adding subsection 36, as follows:

36. To provide the city and the inhabitants thereof with water, light, power, heat and telephone service by contract, or by works of its own, located either within or beyond the boundaries of the city. To make regulations for the management thereof, and to fix and regulate the prices to private consumers and customers.

Mr. Swope offered the following amendment to said bill, viz.:

Amend House Bill No. 216 by striking from line nine the word "private."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
B. S. Bailey

L. D. Baldauf
J. H. Ballard
A. L. Baldwin

Robert Bays
W. T. Beckham
H. V. Bell

Leroy Bonta	E. C. Hardin	S. Lee McGohan
W. P. Bowman	B. H. Harris	A. J. Oliver
J. L. Bradford	David J. Howard	T. P. Oliver
C. V. Brown	Joe Huddleston	W. F. Paris
R. J. Cain	A. R. Hudson	Lilburn Phelps
H. C. Chappell	Chas. L. Hunter	Luther Pieratt
Everett Cobb	J. W. Johnson	Ote Piper
John Cook	Leslie P. Jones	H. C. Rice
A. S. Cooper	W. H. Jones	Avery Sartin
Fred Cornelius	Griffin Kelly	Joe Schneider
W. P. Cropper	W. F. Klair	R. T. Smith
James S. Cruse	H. A. Knollman	Thomas Spurrier
A. A. Demunbrun	W. T. Lasley	John W. Swope
Harry Dill	S. D. Laughlin	C. M. Thomas
H. L. Dixon	Joseph Lazarus	Elmore Thomas
W. G. Dycus	M. E. Lee	J. B. Thomas
F. A. Easterling	J. E. Lilly	G. F. Thompson
J. M. Elliston	Harry J. Meyers	J. Wood Vance
L. L. Embry	Clarence Miller	F. C. VanHoose
I. H. Gabbard	Claude D Minor	G. C. Waggoner
Lark Garnett	S. H. Moore	G. F. Walthal
M. E. Gilbert	Ryland C. Musick	T. R. Welch
W. H. Hager	A. J. McCandless	W. N. Winn
J. S. Hall	W. P. McDonogh	E. G. Young
L. B. Hamilton	H. C. McGehee	

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Resolved, that the title thereof be as aforesaid.

Mr. Cropper, of the Committee on Redistricting—Judicial, to which the same had been recommitted with leave to report at any time, reported a bill of the following title, viz.:

H. B. 319. An act to create the Thirty-seventh Judicial District of Kentucky, fixing the time of holding the courts thereof, providing for the appointment of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Twenty-seventh, Twenty-eighth and Thirty-third Judicial Districts, so as to provide for said Thirty-seventh Judicial

District, and changing and fixing the time for holding the courts in each of said districts.

Said bill reads as follows, viz.:

Whereas, there has been a very large increase in the population and business of the Twenty-third, Twenty-seventh, Twenty-eighth and Thirty-third Judicial Districts of Kentucky, and large developments have been made and are now being made in said districts, so much so that the dockets of the courts in said districts are crowded and congested, and it is impossible for the judges to do the work of the courts in said districts in the time now allotted by law, or which can be allotted, and,

Whereas, said congestion in said districts is not temporary, but is increasing and longer and more frequent terms of court are necessary to relieve said congestion and care for the new business arising in the districts, and in order to relieve said congestion, and to care for said new business in said district it is necessary to create a new judicial district, now, therefore.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Thirty-seventh Judicial District of Kentucky is hereby created, and shall be composed of the counties of Breathitt and Lee; the Twenty-third Judicial District shall be composed of the counties of Estill, Jackson and Rockcastle; the Twenty-seventh Judicial District shall be composed of the counties of Laurel, Clay and Leslie; the Twenty-eighth Judicial District shall be composed of the counties of Clinton, Wayne and Pulaski; the Thirty-third Judicial District shall be composed of the counties of Perry and Owsley.

§ 2. The present circuit judge and Commonwealth's attorney in the Twenty-third, Twenty-seventh, Twenty-eighth

and Thirty-third Judicial Districts shall remain and be unchanged for the time provided by law.

§ 3. The governor shall appoint and commission a circuit judge and Commonwealth's attorney in the Thirty-seventh Judicial District who shall hold their respective offices as such until their successors are elected and qualified as now provided by law.

§ 4. The time of holding court in the Twenty-third, Twenty-seventh, Twenty-eighth, Thirty-third and Thirty-seventh Judicial Districts as follows:

Twenty-third Judicial District.—In Estill county, at Irvine, beginning the second Monday in January, April and September, and continuing at each term twenty-four juridical days. In Jackson county, at McKee, beginning on the second Monday in February, May and October, and continuing at each of said terms twenty-four juridical days. In Rockcastle county, at Mount Vernon, beginning on the second Monday in March, June and November, and continuing at each term twenty-four juridical days.

Twenty-seventh Judicial District.—In Laurel county, at London, beginning on the second Monday in June, April and September, and continuing at each term twenty-four juridical days. In Clay county, at Manchester, beginning on the second Mondays in February, May and October, and continuing at each of said terms twenty-four juridical days. In Leslie county, at Hyden, beginning on the second Mondays in March, June and November, and continuing at each term twenty-four juridical days.

Twenty-eighth Judicial District.—In Clinton county, at Albany, beginning on the second Mondays in January, April and September, and continuing at each term twenty-four juridical days. In Pulaski county, at Somerset, beginning on the second Mondays in February, May and October, and continuing at each term twenty-four juridical days. In Wayne county, at Monticello, beginning on the second Mondays in

March, June and Novemberfi and continuing at each term twenty-four juridical days.

Thirty-third Judicial District.—In Perry county, at Hazard, beginning on the first Mondays in January, April, July and October, and continuing at each term forty-eight juridical days. In Owsley county, at Booneville, beginning on the third Monday in February, May and November and continuing at each term twenty-four juridical days.

Thirty-seventh Judicial District.—In Breathitt county, at Jackson, beginning on the first Monday in February and continuing thirty juridical days, on the first Monday in April, June and September and continuing at each term twenty-four juridical days and beginning on the second Monday in November and continuing thirty-six juridical days. In Lee county, at Beattyville, beginning on the second Monday in January and continuing eighteen juridical days, on the second Mondays in May and October and continuing at each of such terms twenty-four juridical days.

§ 5. The presiding judge of the Perry and Breathitt circuit courts shall cause a grand jury to be summoned and empaneled at but three terms of court each year, the terms to be fixed by orders of the court, and no grand juries shall be summoned or empaneled at any other term unless in the judgment of the court there is urgent necessity therefor.

§ 6. On account of the congested condition of the dockets and the great increase of litigation in the Thirty-third and Thirty-seventh Judicial Districts, an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval.

§ 7. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Musick offered the following amendment to House Bill No. 319, viz.:

Amend House Bill No. 319 by striking out the words "February, May and November," in line 39, section 4, and substituting in lieu thereof the words "March, June and December," and by striking out the word "third," in line 38 of said section and substituting therefor the word "first," and by striking out all of section six.

Said amendment was adopted.

Mr. Rice moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Mr. Klair moved that House Bill No. 349, which was made a special order for this hour, be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

Ordered, that said House Bill No. 319 be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and was rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. T. Beckham	Harry Dill	Lark Garnett
B. C. Beckmann	H. L. Dixon	W. H. Hager
W. P. Cropper	W. G. Dycus	A. L. Hamilton

D. J. Howard	Harry J. Meyers	J. B. Thomas
Chas. L. Hunter	S. H. Moore	J. T. Thornton
J. W. Johnson	John T. Murphy	J. Wood Vance
Leslie P. Jones	Ryland C. Musick	G. C. Waggoner
Griffin Kelly	Luther Pieratt	E. G. Young
H. A. Knollman	H. C. Rice	
J. E. Lilly	C. M. Thomas	—28

Those who voted in the negative were—

Chas. Ashby	I. H. Gabbard	H. C. McGehee
B. S. Bailey	M. E. Gilbert	H. C. McLellen
J. H. Ballard	J. S. Hall	A. J. Oliver
A. L. Baldwin	L. B. Hamilton	T. P. Oliver
Robert Bays	Joe Huddleston	W. F. Paris
H. V. Bell	A. R. Hudson	Lilburn Phelps
W. P. Bowman	W. H. Jones	Richard Radcliffe
J. L. Bradford	W. F. Klair	Avery Sartin
G. V. Brown	W. T. Lasley	Joe Schneider
R. J. Cain	S. D. Laughlin	R. T. Smith
H. C. Chappell	Joseph Lazarus	Elmore Thomas
Everett Cobb	M. E. Lee	G. F. Thompson
A. S. Cooper	Clarence Miller	F. C. VanHoose
Fred Cornelius	Claude D Minor	G. F. Walthal
James S. Cruse	A. J. McCandless	T. R. Welch
A. A. Demunbrun	W. P. McDonogh	—47

And so said bill was rejected.

The House then took up for consideration the special order which had been postponed to this hour, namely, a bill entitled:

H. B. 349. An act relating to dogs, the promotion of live stock industries, and the protection of live stock and poultry from damage by dogs; providing for licensing dogs; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs,

and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs; providing for listing of dogs by county assessors and penalty for his failure to so list; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain state, county, city, town and township officers and employes, and providing penalties.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That this act shall be known and may be cited as an act to promote and protect the live stock industries in Kentucky.

§ 2. For the purpose of this act the following terms shall have the following meanings respectively designated for each:

The term "live stock" shall include horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids and swine.

The term "poultry" shall include all domestic fowl.

The word "person" shall include state and local officers or employes, individuals, corporations, copartnerships and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter.

The word "owner," when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.

§ 3. The term "kennel" shall mean any establishment wherein or whereupon dogs are kept for the purpose of breeding, sale, or sporting purposes.

The term "police officer" shall mean any sheriff or his deputies or any one appointed by the sheriff in this Commonwealth, and whose duty it is to enforce this law.

§ 4. On or before the first day of January, one thousand nine hundred and nineteen, and on or before the first day of January of each year thereafter, the owner of any dog shall apply to the county court clerk or deputy county clerk, as hereinafter provided, of the county in which said owner resides, either orally or in writing, for a license for each such dog owned or kept by him. Such application shall state the breed, sex, age, color, and marking of such dog, and the name and address of the last previous owner; and shall be accompanied by a fee of two dollars for each male dog and by a fee of four dollars for each female dog. And shall be the only state license or tax required for the ownership or keeping of said dog or dogs.

§ 5. Such license shall be issued on a form prepared and supplied by the Commissioner of Agriculture to said county court clerk. Such license shall be dated and numbered, and shall bear the name of the county issuing it and a description of the dog licensed. All licenses shall be void on the first day of January of the following year. The Commissioner of Agriculture shall furnish the county court clerk of each county, with each license, a metal tag. Such tag shall be affixed to a substantial collar. The collar shall be furnished by the owner, and with the tag attached shall at all times be kept on the dog for which the license is issued.

§ 6. The Commissioner of Agriculture shall prepare and furnish to the county court clerk annually, metal tags to be given by the county court clerk to the owners of dogs when such owners shall pay the license fee for said dog. Such tags shall be of metal, and shall bear the name of county issuing it,

and a serial number corresponding with the number on the license issued to said owner, as provided in the preceding section of this act. Such tags shall also have impressed thereon the calendar year for which such tag is issued, and shall be equipped with a substantial metal fastening device. The general shape of said tag shall be changed from year to year. Said blank license and said metal tags shall be paid for by the county for which said licenses and tags are issued.

If any such tag is lost it shall be replaced without cost by the county court clerk, upon application by the person to whom the original license was issued, and upon production of such license.

§ 7. Any deputy county clerk within the county applying to the county court clerk, and having received and receipted for necessary blanks and tags, may issue such dog license and tags in like manner as prescribed for the issuance of licenses by the county court clerk, and for so doing shall receive the same fee in the same manner as is provided for the county clerk in section 15 hereof.

Within ten days after the issuance of any license by him he shall report same to the county clerk and turn over to him all receipts for licenses issued, whereupon the county court clerk shall make record of, and otherwise treat, said license as though it had been issued from his office, except that he shall also note upon his record the name of the deputy clerk issuing the license.

Every deputy clerk shall deliver the book or books from which he has issued licenses, together with the stubs therein properly filled out and showing the names of each licensee and the number of the license issued to him, to the county clerk before the first day of January of each year.

§ 8. Any person becoming the owner, after the first day of January of any year, of any dog which has not already been licensed, shall forthwith apply for and secure a license

for such dog in the same manner as the annual license is obtained under the provisions of this act.

§ 9. No license or license tag issued for one dog shall be transferable to another dog, except as provided in sections eleven and twelve of this act. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same county, the license of such dog may be likewise transferred, upon notice given to the county court clerk. This act does not require the procurement of a new license, or the transfer of a license already secured, when the possession of a dog is temporarily transferred for the purpose of hunting game, or for breeding, trial, or show, in this Commonwealth.

§ 10. Whenever any dog licensed in one county is permanently removed to another county, the county court clerk of the county where the license was issued shall, upon the application of the owner or keeper of such dog, certify such license to the county court clerk of the county to which the dog is removed. Such county court clerk shall thereupon, and upon the payment of a fee of twenty-five cents, issue a license and tag for such dog in the county to which it is removed.

This section does not apply to dogs used during the hunting season for hunting game, or temporarily for breeding, trial, or show in the Commonwealth, nor for the transportation of dogs, for hunting, breeding, trial or show purposes, the home county license holding good for such purposes throughout the Commonwealth.

§ 11. Any person who keeps or operates a kennel may, in lieu of the license for each dog required by this act, apply to the county court clerk for a kennel license, entitling him to keep or operate such kennel. Such license shall be issued by the county court clerk on a form prepared and supplied by the Commissioner of Agriculture to the county court clerk, and shall entitle the licensee to keep any number of dogs not

at any time exceeding a certain number to be specified in the license. The fee to be paid for each kennel license shall be ten (\$10.00) dollars for ten dogs or less, and twenty-five (\$25.00) dollars for more than ten dogs permitted to be kept under the kennel license. With each kennel license the county court clerk shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All such tags shall bear the name of the county issuing it, the number of the kennel license, and shall be readily distinguished from the individual license tags for the same year.

§ 12. The licensee of a kennel shall, at all times, keep one of such tags attached to a collar on each dog kept by him under a kennel license. Such tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. No dog bearing a kennel tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel.

This section does not prohibit the taking of dogs having a kennel license outside the limits of the kennel temporarily and in leash, nor does it prohibit the taking of such dogs out of the kennel temporarily for the purpose of hunting, breeding, trial or show.

§ 13. Any person may bring or cause to be brought into the state, for a period of thirty days, one or more dogs for show, trial or breeding purposes.

§ 14. The county court clerk shall keep a record of all dog licenses, and all kennel licenses, and all permits issued during the year. Such record shall contain the name and address of the person to whom each license or permit is issued. In the case of an individual license, the record shall also state the breed, sex, age, color and markings of the dog licensed; and in the case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to persons interested, during business hours. And in addition thereto it shall be the duty of the

county court clerk to cause to be published by precincts in one of the newspapers in his county, if there be such, by February 15th of each year, the owner's name, post office and number of dogs for which he has obtained a license.

Whenever the ownership or possession of any dog licensed under the provisions of this act is transferred from one person to another, except the temporary transfer of dogs for hunting purposes, or for breeding, trial, or show, as provided in section nine of this act, such transfer shall be noted on the record of the county court clerk.

§ 15. An accurate record of all license fees collected by the county court clerk, or paid over to him by any deputy clerk shall be kept in a book furnished by the Commissioner of Agriculture as a matter of information; but all such funds shall be turned into the county funds for the payment of live stock or poultry killed or damaged by dogs except as herein-after provided. All moneys at present in the "dog fund" derived from taxation of dogs under the existing law, shall be turned into the said fund. All bills incurred under this act, or due at the time of the passage of this act, shall be paid out of the said fund. The said county court clerk or deputy shall receive twenty-five (25c) cents for each and every license issued by them respectively, to be paid out of said county fund and shall be retained by the county clerk or deputy as his fee for issuing said license.

§ 16. The assessors in each county of this Commonwealth shall annually, at the time of assessing property as required by law, make diligent inquiry as to the number of dogs owned, harbored, or kept by any person, and shall list them. The assessor shall receive ten (10c) cents per dog for each dog listed by him, same to be paid out of said county fund.

The assessor shall annually, on or before the thirty-first day of December, make a complete report to the county clerk, and a duplicate report to the Commissioner of Agriculture on a blank form furnished by the county court clerk, setting

forth the name of every owner of any dog or dogs, whether licensed or unlicensed, the license number of each licensed dog, how many of each sex, licensed or unlicensed, are by him owned or harbored, and if a licensed or unlicensed kennel is maintained by any person such fact shall also be stated. It shall be the duty of the assessor, at the time of taking the list, to notify the owner of such dog or dogs that he must obtain a license for same as provided for in this act; but the neglect or failure to so notify such owner shall not relieve the owner from his duty to obtain such license.

§ 17. On and after the first day of January, one thousand nine hundred and nineteen, it shall be unlawful for any person to own or keep any dog unless such dog is licensed by the county court clerk or deputy of the county in which the dog is kept; and unless such dog at all times wears the collar and tag provided for by this act, excepting such dogs as are temporarily brought into the state for breeding, trial or show purposes.

§ 18. It shall be the duty of the sheriff of the county or his deputy to seize and impound any dog or dogs which are found running at large and unaccompanied by its owner or keeper. It shall be the duty of the sheriff or deputy to seize and impound any dog, running at large which does not bear a proper licensed tag. Sheriff or deputy shall cause any dog bearing a proper license tag and so seized and impounded to be properly kept and fed, and shall cause immediate notice, either personal or by registered mail, to be given to the person from whom or from whose premises the dog was taken or in whose name the license was procured, or his agent to claim such dog, within ten days. And it shall also be the duty of the sheriff or deputy to go upon the premises of any person for the purpose of ascertaining if such person is the owner of or is harboring any unlicensed dog or dogs, and if such officer find any unlicensed dog or dogs, the officer shall seize and impound said dog or dogs, as is above provided, and he shall give notice as above provided.

§ 19. If, after ten days from the giving of such notice, such dog has not been claimed, such officer whose duty it is to enforce this act shall dispose of such dog by sale, or by destruction in some humane manner. All moneys derived from the sale of such dog after deducting the expenses of its detention shall be paid to the county court clerk and by him placed in the county live stock funds. For services under sections 18 and 19 of this act, such officers shall be paid the sum of two (\$2.00) dollars for impounding and detaining a licensed dog, and the sum of one (\$1.00) dollar for the killing of the dog. All expenses incurred under this act or the preceding section, and not otherwise provided for, shall be paid by the proper county.

§ 20. For failure to perform any duty under the provisions of this act, any officer shall be liable to a penalty of not less than five nor more than twenty dollars for each offense, which amount shall be deducted from any amount due such officer from the county at any settlement between such officer and the governing authorities, or if it appear that nothing be due, then to be collected as any other fine, and as provided by law.

§ 21. Any person may kill any dog which he sees in the act of pursuing, worrying or wounding any live stock, or attacking human beings, whether or not such dog bears the license tag required by the provisions of this act. There shall be no liability on such person in damages or otherwise for such killing.

Any dog that enters any field unaccompanied by its owner shall constitute a private nuisance, and the owner or tenant of such field, or their agent or servant, may kill such dog while it is in the field, without liability or responsibility of any nature for such killing.

Licensed dogs when accompanied by their owner or handler shall not be included under the provisions of this section unless caught in the act of worrying, wounding or killing any live stock, or attacking human beings.

§ 22. It shall be unlawful for any person, except the owner or authorized agent, to remove any license tag from a dog collar, or to remove any collar with a license tag attached thereto, from any dog.

It shall be unlawful for any person to harbor, or permit to remain about his premises, any dog not having a license.

§ 23. It is unlawful for the owner or keeper of any female dog to permit such female dog to go beyond the premises of such owner or keeper at any time she is in heat, unless such female dog is held properly in leash.

§ 24. The owner or keeper of every dog shall keep at all times between sunset and sunrise of each day, such dog—either (a) confined within an enclosure from which it cannot escape, or (b) firmly secured by means of a collar and chain, or block attached, or other device so that it cannot stray beyond the premises on which it is secured, or (c) under the reasonable control of some person, or when engaged in lawful hunting, accompanied by an owner or handler. Any dog found or discovered off the premises of the owner between sunset and sunrise, unaccompanied by the owner, shall be considered as being an unlicensed dog and may be killed by the one so finding said dog or dogs, unless such person so finding such dog shall elect to hold him and then turn him over to the sheriff or deputy sheriff for impounding as provided in sections 18 and 19 hereof.

§ 25. Whenever any person sustains any loss or damage to any live stock or poultry by dogs, or any live stock of any person is necessarily destroyed because of having been bitten by a dog, such person or his agent or attorney may complain to the county judge, or to any justice of the peace. Such complaint shall be in writing, shall be signed by the person making such complaint, and shall state when, where and how such damage was done, and by whose dog or dogs, if known. Such county judge, or justice of the peace shall appoint two appraisers whose duty it shall be to investigate and ascertain

the amount of damages sustained. Said appraisers shall be a resident land owner of the county and not related to claimant by either blood or marriage. Said appraisers shall examine the place where the alleged loss of damage was sustained and the live stock or poultry injured or killed, and shall also examine under oath or affirmation any witness called before them. After making diligent inquiry in relation to such claim, said appraisers shall determine whether any damage has been sustained and the amount thereof, and if possible, who was the owner of the dog or dogs by which such damage was done, and shall forthwith make a written report of this investigation and findings to the county judge, or justice of the peace appointing them.

Any owner or keeper of such dog or dogs shall be liable to the county in which the damages occurred to such live stock or poultry in a civil action for all damages and costs, and the owner who suffers the loss shall be reimbursed out of said funds of the county in which said damage occurred.

§ 26. Upon making the examination required in section 25 of this act, the county judge or magistrate shall immediately make a certificate thereto, signed and sealed by him, that such appraisalment was regularly and duly made. If by such examination, it appears that any damage has been sustained by the claimant, the county judge, or justice of the peace shall deliver the report of such examination, and all papers relating to the case to the claimant or his agent or attorney, upon payment of the costs up to that time. Such reports shall be delivered to the county court clerks to be filed in their office.

§ 27. The county court clerk of the county receiving such report, if it appears thereby that a certain amount of damage has been sustained by the claimant, shall immediately draw his order on the treasurer of the county in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report, together with necessary

and proper costs incurred. Such amount shall be paid by the proper county. No person shall receive any order for any claim until the county judge, justice of the peace, before whom the claim was made, has certified that due diligence was made to ascertain whose dog or dogs did the damage and where the carcasses of the live stock or poultry killed and for which damages have been assessed, were located within twenty-four hours after the assessment of damages.

§ 28. When any payment is made by the county for any live stock bitten by a dog, such payment shall not exceed one hundred dollars for each horse or mule, fifty dollars for each head of cattle, or fifteen dollars for each head of swine, or fifteen dollars for each head of grade sheep or ten dollars for each head of grade lambs, or twenty dollars for each head of registered sheep, or fifteen dollars for each head of registered or eligible to be registered, lambs.

§ 29. Any valid claim or parts thereof for loss or damage to sheep, horses, mules, cattle or swine which have accrued under any general or local laws at any time, prior to the passage of this act, shall not abate by reason of the repeal of such general or local act, but shall be paid out of the same fund of the proper county.

All claims or parts thereof remaining unpaid for any reason at the close of any year shall not abate, but shall continue as claims until paid in full.

§ 30. It is unlawful for any person knowingly to make any false statement or to conceal any fact required to be disclosed under any provisions of this act.

§ 31. In any proceedings under this act the burden of proof of the facts that a dog has been licensed, or has been imported for breeding, trial or show purposes, shall be on the owner of such dog. Any dog not bearing a license tag shall *prima facie* be deemed to be unlicensed.

§ 32. The Commissioner of Agriculture, through his officers and agents, is charged with the general enforcement

of this act, shall have general supervision over the licensing and regulation of dogs and protection of live stock and poultry from damage by dogs in all counties of the Commonwealth.

To this end the Commissioner of Agriculture may employ all proper means for the enforcement of this act. Any other state department, bureau, or commission may on request of the Commissioner of Agriculture assist in the enforcement of the provisions of this act.

§ 33. Any person other than an officer violating or failing or refusing to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be adjudged to pay a fine of not exceeding one hundred dollars, or to undergo an imprisonment not exceeding three months, or both, at the discretion of the court.

All fines collected under the provisions of this act shall be forthwith paid to the treasurer of the proper county, and credited after the payment of such commissions as officers be entitled to under the law, to live stock fund.

§ 34. This act is intended as a complete and uniform system throughout the Commonwealth for the licensing of dogs and the protection of live stock and poultry from injury by dogs; but nothing in this act shall interfere with any law for the protection and preservation of game. Except where such acts or parts of acts are specifically repealed, this act does not repeal or affect any acts or parts of acts relating to mad dogs or dogs affected with any disease.

§ 35. Nothing in this act shall be construed to prevent the owner of a licensed dog from recovery, by action at law, the value of any dog, which dog has been illegally killed by an officer, farmer, stockman or other person within the Commonwealth, from said officer, farmer, stockman or other person. In case such officer or other person fails to pay the value of such dogs so killed, the same shall be paid by the proper county. Said value of said dog to be ascertained in the same

manner and form as provided in section 25 of this act for assessing the damages done to live stock by dogs. But the amount so paid for such dog or dogs shall not exceed \$25.00 per dog.

Nothing in this act shall be so construed to prevent the killing of a dog caught chasing deer at any time of the year, on either public or private lands; or to prevent the killing of dogs by any officer empowered to enforce the game laws of this Commonwealth when said dogs are pursuing game during the closed season for the training of dogs on game, providing said dogs are not under the immediate control or accompanied by their owner or keepers, and also provided that legal notice has previously been given said owner or keeper as required by the game laws of this Commonwealth.

§ 36. In the event that any one or more of the provisions of this act should be decided to be unconstitutional, the court's decision holding same unconstitutional shall not affect the validity of the remaining provisions of this act, it being the intention of the Legislature that the provisions of this act are severable.

The county court clerk shall annually on or before February first of each year make an annual report to the Commissioner of Agriculture of all licenses issued, the amount collected, number killed, and kind of live stock, amount paid for same, the amount collected in fines, amount paid out and for what, and in fact a general report covering the enforcement of this act and any other information required by the Commissioner of Agriculture.

The Commissioner of Agriculture shall on or before January 1, 1919, and on or before the first day of January of each year thereafter, furnish the county court clerk of each county in this Commonwealth with the necessary blank licenses, metal tags and records as provided for in this act.

§ 37. All moneys collected by the various county clerks in this Commonwealth under the provisions of this act shall.

after deducting the amounts paid out for loss, damages, compensation and other expenses necessary for the enforcement of this act, revert to the school fund of the county.

§ 38. All laws or parts of laws in conflict with this act are hereby repealed and this act shall become effective upon its passage and approval.

Mr. Phelps offered the following amendment to said bill by way of substitute therefor, viz.:

Amend House Bill No. 349 by striking out all after the enacting clause and substituting therefor the following:

Section 1. The word "owner" when applied to the proprietorship of a dog, shall include every person having a right of property in a dog, and every person who keeps or harbors one or permits one to remain on his premises.

Section 2. On or before the first day of January, 1919, the owner of any dog over four months old shall apply to the county clerk or his authorized agent, in the county where such owner resides, for a muzzle for each dog owned by him, which is permitted to go beyond the enclosed premises of the owner, unaccompanied by him.

Section 3. "A stray dog" is hereby defined to be any dog not muzzled as provided in this act and found outside the enclosed premises of the owner or his authorized agent.

Section 4. Any person, at any time, may kill a stray dog, and it shall be the duty of all Sheriffs, Constables and the deputies of both, and of all Justices of the Peace to kill immediately, or as soon as possible, any and all stray dogs outside of incorporated cities and towns. Any person may kill any dog which he sees in the act of pursuing or injuring live stock or attacking human beings, and it shall be the duty of the officers named in this section to kill any such dog, whenever he sees it pursuing or injuring live stock or attacking human beings; or if such officer has reliable information that

any dog has been guilty of either of said acts, and said information is received within three days, he shall kill such dog immediately. The officer shall be the judge of the guilt of such dogs, and shall not be held liable for any mistake so long as he acts, with reasonable prudence and in good faith. For any willful failure to do his duty as provided in this section the officer shall be liable to a fine of not less than ten dollars nor more than fifty dollars.

Section 5. On or before January 1, 1919, the owner of any dog, who may desire to permit such dog to run at large, that is beyond the owner's enclosures and unaccompanied by him, shall apply to the county court clerk, or his agent, in the county where the owner resides for a muzzle, which shall be furnished as hereinafter provided. The applicant for each muzzle shall give to the clerk, or his agent, his own name and address and a description of the dog to be muzzled, which description shall state the breed, sex, age and color of such dog, which description shall be recorded on a brief form to be furnished by the Commissioner of Agriculture.

Section 6. The muzzles herein provided for shall be furnished to the County Court Clerk by the Commissioner of Agriculture, who shall provide specifications for same and may contract for their manufacture by receiving competitive bids, or in such manner as he finds most economical. Said muzzle must be sufficiently strong to prevent dogs from injuring live stock or human beings and shall be as light and comfortable as may be, consistent with the purposes of this act. He shall also prescribe specifications for attachments and fastenings of said muzzles, to the end that the muzzle may be kept securely in place when in use. Said attachments and fastenings shall be prepared with a view to comfort and security, so as to be as little annoying as possible, and at the same time effective for the purposes herein named. The Commissioner of Agriculture is hereby required to purchase said attachments and fastenings, or the muzzle complete with same, or may contract for the manufacture thereof, upon

competitive bids, or otherwise, so as to carry out the purposes of this act as efficiently and cheaply as practicable.

Said Commissioner shall from time to time, furnish, or cause to be furnished, to each County Court Clerk in this State a sufficient number of muzzles, attachments and fastenings to carry out the purposes of this act. The muzzle, with its attachments and fastenings, shall not cost more than sixty cents, but may cost less, which shall be paid by the applicant to the County Court Clerk, who shall also be entitled to collect from each applicant the further sum of fifteen cents, as compensation for his duties under this act.

Section 6. Each County Court Clerk shall keep his accounts and make reports to the Commissioner of Agriculture, in such form as said Commissioner shall prescribe. It shall be the duty of the Clerk to report monthly and pay over to the Commissioner of Agriculture between the first and tenth of each month, all money received from muzzles, attachments and fastenings. All such funds shall be turned in to the Treasury of the State not later than the fifteenth of each month.

Section 7. The owner or keeper of every dog shall at all times between sunset and sunrise keep such dog confined in an enclosure from which it cannot escape, or firmly secured by collar and chain or other device, so that it cannot leave the premises of the owner, or person in charge of such dog, or it must be under the complete control of some person, so that it cannot become a "stray" as heretofore provided in this act. The foregoing provisions of this section shall not apply to dogs engaged in lawful hunting, if accompanied by an owner or handler.

Section 8. For any injury to live stock or poultry, by any dog or dogs, the owner sustaining the loss shall be entitled to double damages to be recovered in any court of competent jurisdiction, as in other civil cases. This shall also apply to any live stock necessarily killed by reason of having been bitten, torn or injured by a dog or dogs. If the injuries mentioned in this section are done by more than one dog, the owners of all of them, if known, shall be made defendants to

the action and the damages shall be apportioned among them by the jury, under appropriate instructions of the Court.

Section 9. It shall be unlawful for the owner or keeper of any female dog to permit her to go beyond his premises at any time she is in heat, unless such female dog is properly held in leash.

Section 10. Any owner or keeper of a dog who shall permit same to become a "stray," as defined in this act, or permit a dog to go abroad between sunset and sunrise, except as herein permitted, or any owner of a female dog who shall violate the provisions of Section 9 hereof shall be fined not less than twenty dollars nor more than fifty dollars for each offense.

Mr. Thompson offered the following amendment to said substitute, viz.:

Amend substitute by adding the following section thereto at the end thereof:

Section —. All laws or parts of laws in conflict herewith are hereby repealed.

Said amendment to the substitute was disagreed to.

Mr. Musick offered the following amendment to said substitute, viz:

Amend the substitute by adding thereto at the end thereof the following paragraph:

Section —. Nothing in this act shall be construed to repeal any law now in effect licensing dogs, provided, however, that there shall be exempt from such tax as now imposed by law, one dog to each housekeeper actually residing upon a farm and engaged in farming.

Said amendment to said substitute was disagreed to.

Mr. Klair rising to a point of order, made the point that said substitute is not germane to the original bill.

Said point of order was overruled.

The question then being taken on the amendment by way of substitute, said substitute was disagreed to.

The Committee on Agriculture offered the following amendments to House Bill No. 349, viz.:

Amend House Bill No. 349 by adding to Section 32 the following:

To that end each County Clerk shall on or before February 1st, 1919, and on the first day of each succeeding month, draw his warrant on the County Treasurer of his county in favor of the Commissioner of Agriculture for a sum equal to three (3) per cent. of the amount received for said licenses during the preceding month, and said amount so received by him shall be used and employed by the Commission for the purposes herein set forth.

Mr. Claude M. Thomas offered the following amendment to said Committee amendment, viz.:

Amend the amendment offered by the Committee by striking out the words and figures "three (3) per cent." and insert in lieu thereof the words and figures, namely: "five (5) per cent."

Said last named amendment was adopted.

Said amendment offered by the Committee on Agriculture as amended, was then adopted.

Mr. L. B. Hamilton offered the following amendment to said House Bill No. 349:

Amend House Bill No. 349, page 9, Section 21, beginning at line six and striking out lines 6, 7, 8 and 9 of the said section.

Said amendment was disagreed to.

Mr. Sartin offered the following amendment to said bill, viz:

Amend House Bill No. 349 by striking out in line nine, Section 4, the words "two dollars" and insert in lieu thereof the words "one dollar."

Also amend by striking out in line 10, Section 15, the words and figures "twenty-five (25c) cents" and insert in lieu thereof the words and figures "ten (10c) cents."

Said amendment was disagreed to.

Mr. Klair moved that the session be extended until the matter under consideration is disposed of and the Committee on Enrollments has had an opportunity to report.

Said motion was agreed to.

Mr. Brown offered the following amendments to House Bill No. 349, viz:

Amend House Bill No. 349 as follows:

By striking out the words "and shall be accompanied by a fee of two dollars for each male dog and by a fee of four dollars for each female dog" where said words occur in lines 8, 9 and 10, Section 4, of the bill as printed, and inserting in lieu thereof the following: "and shall be accompanied by a fee of one dollar for the first male dog for which license is applied by the owner, and by a fee of two dollars for the first female dog for which license is applied by the owner, and by a fee of two dollars for each male and a fee of four dollars for each female for which license is applied subse-

quent and in addition to the first male or female licensed as above provided for.”

Said amendment was adopted.

Mr. Musick offered the following amendment to said bill, viz.:

Amend House Bill No. 349 by striking out the words “twenty-five (25c) cents for” in line 10, Section 15, and by substituting therefor the words twenty per cent of the money collected as a tax on.”

Said amendment was disagreed to.

Mr. Musick offered the following amendment to said bill, viz.:

Amend House Bill No. 349 by adding after the word “shall” in line two, Section 37, the words “each year,” and by adding after the word “county” in line 5 of said section, the words “and on or before the first day of February of the following year be paid over by the County Clerk to the Superintendent of Schools for such county and take his receipt therefor, and shall cause to be published his settlement with the superintendent in connection with the statement required to be published by Section 14 of this act.”

Said amendment was disagreed to.

Mr. Musick offered the following amendment to said bill, viz.:

Amend House Bill No. 349 by adding the following section after the end of Section ten:

Section 10b. There shall be exempt from the tax herein provided one dog to each housekeeper actually residing upon

a farm and engaged in farming, but such dog shall be subject to all the other provisions of this act, and shall be provided with a collar and tag as herein provided except that on the said tag shall be the word "exempt" in addition to the other wording thereon required. The license herein provided shall be issued for such dogs only by the County Court Clerk upon recommendation of the County Judge and such exemption shall be subject to review by the Board of Supervisors, and if incorrectly allowed such tax shall be charged upon the tax list of the owner of such dog and collected as other taxes are now collected, and upon the failure of the owner or custodian of such dog to pay such tax when demanded, the sheriff shall immediately kill said dog and upon his failure so to do shall be liable upon his official bond for the amount of such tax.

Said amendment was disagreed to.

Mr. Cobb offered the following amendment to said bill, viz.:

Amend Section 21 of House Bill No. 349 by inserting after the word "owner" in line six the words "between sunset and after sunrise."

Said amendment was disagreed to.

Mr. Bell offered the following amendment to the title of said bill, viz.:

Amend the title of House Bill No. 349 by striking out the following words after the semicolon in the third line from the last: "imposing powers and duties on certain State, county, city, town and township officers and employees, and providing penalties," and inserting in lieu thereof the following: "imposing powers and duties on certain State and county officers and providing penalties and fees."

Said amendment was adopted.

Mr. Klair moved the previous question on said bill and all amendments.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	R. J. Cain	D. J. Howard
Chas. Ashby	Everett Cobb	A. R. Hudson
B. S. Bailey	W. P. Cropper	Chas. L. Hunter
L. D. Balcauf	A. A. Demunbrun	Leslie P. Jones
J. H. Ballard	W. G. Dycus	W. H. Jones
A. L. Baldwin	J. M. Elliston	Griffin Kelly
W. T. Beckham	I. H. Gabbard	W. F. Klair
B. C. Beckmann	Lark Garnett	H. A. Knollman
H. V. Bell	M. E. Gilbert	W. T. Lasley
Leroy Bonta	W. H. Hager	S. D. Laughlin
W. P. Bowman	A. L. Hamilton	Joseph Lazarus
J. L. Bradford	E. C. Hardin	J. E. Lilly
O. V. Brown	B. H. Harris	Claude D Minor

S. H. Moore	Richard Radcliffe	S. G. Thornberry
A. J. McCandless	H. C. Rice	J. Wood Vance
W. P. McDonogh	Lewis Ryans	F. C. VanHoose
H. C. McGehee	Joe Schneider	G. C. Waggoner
S. Lee McGohan	John W. Swope	G. Frank Walthal
H. C. McLellen	C. M. Thomas	T. R. Welch
A. J. Oliver	Elmore Thomas	W. N. Winn
T. P. Oliver	John B. Thomas	E. G. Young
Ote Piper	J. T. Thornton	—65

Those who voted in the negative were—

Robert Bays	F. A. Easterling	Ryland C. Musick
John Cook	L. B. Hamilton	Luther Pieratt
A. S. Cooper	Joe Huddleston	Avery Sartin
Fred Cornelius	J. W. Johnson	R. T. Smith
H. L. Dixon	John T. Murphy	G. F. Thompson
		—15

Resolved, that the title thereof be as amended.

Mr. Minor moved that the vote by which said bill was passed be reconsidered, and that said motion lie on the table.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 216. An act to accept the conditions of an act of Congress of the United States, entitled, "An act to provide for the promotion of vocational education; to provide for co-operation with the States for the promotion of such education in Agriculture and the Trades and Industries; to provide for the co-operation with the States in the preparing of teachers for vocational subjects; and to appropriate money and regulate its expenditure"; and to provide for the

inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid Federal act.

S. B. 38. An act relating to cities of the fifth class, Chapter 89, Kentucky Statutes, and providing for the publication of the ordinances thereof and the advertising of such matters as are required to be made by such cities, and fixing a rate to be charged therefor by newspapers.

S. B. 45. An act changing the time for holding the sessions of circuit courts of the Ninth Circuit Court District of Kentucky.

S. B. 52. An act amending that part of Section No. 965, Kentucky Statutes, relating to the times for holding courts in the Eighteenth, Twenty-eighth, Twenty-ninth, Thirty-third and Thirty-fourth Judicial Districts.

S. B. 11. An act to amend Section 965, Kentucky Statutes, relating to circuit courts in the Twelfth Judicial District.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

And then the House, at five o'clock P. M., adjourned.